

Executive Summary – Enforcement Matter – Case No. 48735
Total Petrochemicals & Refining USA, Inc.
RN102457520
Docket No. 2014-0743-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Total Petro Chemicals & Refining USA Port Arthur Refinery, 7600 32nd Street, Port Arthur, Jefferson County

Type of Operation:

Petrochemical refinery

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2014-1005-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: October 3, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$83,500

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$41,750

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$41,750

Name of SEP: Southeast Texas Regional Planning Commission (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: \$25,000

Applicable Penalty Policy: April 2014

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Total Petrochemicals & Refining USA, Inc.
RN102457520
Docket No. 2014-0743-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: January 15, 2014

Date(s) of NOE(s): May 5, 2014

Violation Information

1. Failed to submit the final record for Incident No. 188566 within two weeks after the end of the emissions event [30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to prevent unauthorized emissions. Since the emissions event could have been avoided through better operational practices and the final record for the event was reported late, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. 01267, Special Terms and Conditions ("STC") No. 29, and New Source Review ("NSR") Permit Nos. 46396, PSDTX1073M1, and No44, Special Conditions ("SC") No. 1].
3. Failed to prevent unauthorized emissions. Since the emissions event could have been avoided through better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 01267, STC No. 29, and NSR Permit Nos. 46396, PSDTX1073M1, and No44, SC No. 1].
4. Failed to submit the initial notification for a reportable emissions event within 24 hours of discovery [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].
5. Failed to prevent unauthorized emissions. Since the emissions event was reported late, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 01267, STC No. 29, and NSR Permit Nos. 46396, PSDTX1073M1, and No44, SC No. 1].

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Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following:

- a. On October 29, 2013, submitted the final record for Incident No. 188566; and
- b. On November 4, 2013, submitted the initial notification for Incident No. 190409.

Technical Requirements:

- 1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A)
- 2. The Order will also require the Respondent to:
 - a. Within 30 days:
 - i. Implement measures and procedures to ensure initial notifications and final records for emissions events are properly reported and submitted in a timely manner; and
 - ii. Implement procedures to prevent recurrence of emissions events due to similar causes as Incident Nos. 188566, 188871, and 190409.
 - b. Within 45 days, submit written certification to demonstrate compliance with Ordering Provision 2. a.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Jessica Schildwachter, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-2617; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456
TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565
Respondent: Nigel Tranter, Refinery Manager, Total Petrochemicals & Refining USA, Inc., P.O. Box 849, Port Arthur, Texas 77641
Respondent's Attorney: N/A

Attachment A
Docket Number: 2014-0743-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Total Petrochemicals & Refining USA, Inc.
Penalty Amount:	Eighty-Three Thousand Five Hundred Dollars (\$83,500)
SEP Offset Amount:	Forty-One Thousand Seven Hundred Fifty Dollars (\$41,750)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>West Port Arthur Home Energy Efficiency Program - Lighthouse Program</i>
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Southeast Texas Regional Planning Commission** for the *West Port Arthur Home Energy Efficiency Program - Lighthouse Program* Project. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to hire a contractor to conduct initial inspections of eligible applicants' homes. The inspections will determine whether the home is in a condition suitable for weatherization and energy efficiency upgrades. Upgrades will not be completed at homes that need new roofs or significant foundation work. The contractor shall also determine what weatherization and energy efficiency upgrades are necessary and appropriate for the home and write a work plan. This contractor shall also conduct the final inspection of the home after the work is completed.

The Third-Party Administrator will conduct eligibility determinations to verify that participants own their homes and qualify as low-income. The Third-Party Administrator will also prepare all contracts with contractors and homeowners; coordinate between the contractors and the homeowners to answer questions; ensure that work is done timely

and properly; and arrange for any necessary repairs to new equipment under the 12-month warranty period after work is completed. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

Implementation of this Project will benefit air by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and the nitrogen oxides associated with the combustion of fuel and the generation of electricity. Past energy audits have shown a 12-30% reduction in energy usages after completion of the weatherization and energy upgrades.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Southeast Texas Regional Planning Commission SEP** and shall mail the contribution with a copy of the Agreed Order to:

Southeast Texas Regional Planning Commission
Attention: Pamela Lewis, Program Manager
2210 Eastex Freeway
Beaumont, Texas 77703

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality;" and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ.** Such statements include advertising, public relations, and press releases.

Total Petrochemicals & Refining USA, Inc.
Agreed Order - Attachment A

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

TCEQ

DATES	Assigned	12-May-2014	Screening	28-May-2014	EPA Due	30-Jan-2015
	PCW	19-Aug-2014				

RESPONDENT/FACILITY INFORMATION

Respondent	Total Petrochemicals & Refining USA, Inc.		
Reg. Ent. Ref. No.	RN102457520		
Facility/Site Region	10-Beaumont	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	48735	No. of Violations	5
Docket No.	2014-0743-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jessica Schildwachter
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$54,250

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 100.0% Enhancement **Subtotals 2, 3, & 7** \$54,250

Notes: Enhancement for one NOV with same or similar violations, three NOVs with dissimilar violations, fifteen orders with denial of liability, and two orders without denial of liability. Reduction for six Notices of Intent to conduct an audit, two Disclosures of Violations, and participation in an environmental management system.

Culpability No 0.0% Enhancement **Subtotal 4** \$0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** \$0**Economic Benefit** 0.0% Enhancement* **Subtotal 6** \$0

Total EB Amounts \$1,029
Approx. Cost of Compliance \$19,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$108,500**OTHER FACTORS AS JUSTICE MAY REQUIRE** 0.0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$108,500**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** \$83,500**DEFERRAL** 0.0% Reduction **Adjustment** \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY \$83,500

Screening Date 28-May-2014

Docket No. 2014-0743-AIR-E

PCW

Respondent Total Petrochemicals & Refining USA, Inc.

Policy Revision 4 (April 2014)

Case ID No. 48735

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102457520

Media [Statute] Air

Enf. Coordinator Jessica Schildwachter

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	15	300%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	2	-4%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 341%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same or similar violations, three NOVs with dissimilar violations, fifteen orders with denial of liability, and two orders without denial of liability. Reduction for six Notices of Intent to conduct an audit, two Disclosures of Violations, and participation in an environmental management system.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 341%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 28-May-2014

Docket No. 2014-0743-AIR-E

PCW

Respondent Total Petrochemicals & Refining USA, Inc.

Policy Revision 4 (April 2014)

Case ID No. 48735

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102457520

Media [Statute] Air

Enf. Coordinator Jessica Schildwachter

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit the final record for Incident No. 188566 within two weeks after the end of the emissions event. Specifically, Incident No. 188566 ended on October 3, 2013 at 1:00 p.m. and the final record was due on October 17, 2013, but was not submitted until October 29, 2013.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

The Respondent met at least 70% of the rule requirement.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

12 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Extraordinary

Before NOV NOV to EDPRP/Settlement Offer

Ordinary

N/A

x

(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$85

Violation Final Penalty Total \$500

This violation Final Assessed Penalty (adjusted for limits) \$500

Economic Benefit Worksheet

Respondent Total Petrochemicals & Refining USA, Inc.

Case ID No. 48735

Reg. Ent. Reference No. RN102457520

Media Air

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$1,500	17-Oct-2013	30-Nov-2014	1.12	\$84	n/a	\$84
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	17-Oct-2013	29-Oct-2013	0.03	\$1	n/a	\$1

Notes for DELAYED costs

Estimated cost to submit the emissions event final record and provide training to ensure that final records are submitted in a timely manner. The Date Required is the date the final record was due. The Final Dates are the date the final record was submitted (October 29, 2013) and the estimated date of compliance (November 30, 2014).

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$85

Screening Date 28-May-2014

Docket No. 2014-0743-AIR-E

PCW

Respondent Total Petrochemicals & Refining USA, Inc.

Policy Revision 4 (April 2014)

Case ID No. 48735

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102457520

Media [Statute] Air

Enf. Coordinator Jessica Schildwachter

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit ("FOP") No. O1267, Special Terms and Conditions ("STC") No. 29, and New Source Review ("NSR") Permit Nos. 46396, PSDTX1073M1, and N044, Special Conditions ("SC") No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 653 pounds ("lbs") of benzene, 714 lbs of hydrogen sulfide ("H₂S"), and 70,801.05 lbs of volatile organic compounds ("VOC") from the VOC Storage Tank No. 0939, Emission Point Number ("EPN") 22TANK0939, during an avoidable emissions event (Incident No. 188566) that began on September 21, 2013 and lasted 292 hours. The event occurred when the floating roof of the tank submerged causing emissions to escape. Since the emissions event could have been avoided through better operational practices and the final record for the event was submitted late, the Respondent is precluded from asserting the affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 1

13 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$25,000

One monthly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$25,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$298

Violation Final Penalty Total \$50,000

This violation Final Assessed Penalty (adjusted for limits) \$50,000

Economic Benefit Worksheet

Respondent Total Petrochemicals & Refining USA, Inc.

Case ID No. 48735

Reg. Ent. Reference No. RN102457520

Media Air

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	21-Sep-2013	30-Nov-2014	1.19	\$298	n/a	\$298

Notes for DELAYED costs

Estimated cost to implement procedures to prevent recurrence of emissions events due to similar causes as Incident No. 188566. The Date Required is the date the emissions event began. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$298

Screening Date 28-May-2014

Docket No. 2014-0743-AIR-E

PCW

Respondent Total Petrochemicals & Refining USA, Inc.

Policy Revision 4 (April 2014)

Case ID No. 48735

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102457520

Media [Statute] Air

Enf. Coordinator Jessica Schildwachter

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. O1267, STC No. 29, and NSR Permit Nos. 46396, PSDTX1073M1, and N044, SC No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 76,856.98 lbs of sulfur dioxide ("SO₂"), 1,129.08 lbs of H₂S, and 67.60 lbs of nitrogen oxides ("NO_x") from the North Flare, EPN 41NORTHFLR, 1,022.86 lbs of SO₂, 0.57 lb of H₂S, 68.70 lbs of NO_x, 1.48 lbs of VOC, and 2 lbs of particulate matter ("PM") from the Sulfur Recovery Unit ("SRU") No. 5 Incinerator, EPN 36SRUINCIN, and 340.80 lbs of SO₂, 9.51 lbs of H₂S, 323.58 lbs of carbon monoxide ("CO"), 39.1 lbs of NO_x, 9.27 lbs of PM, and 16 lbs of VOC from the SRU Nos. 1 and 3 Incinerator, EPN 15SRUINCIN, during an avoidable emissions event (Incident No. 188871) that began on September 29, 2013 and lasted six hours. The event occurred due to a power loss at the SRUs resulting in flaring at the North Flare. Since the emissions event could have been avoided through better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input checked="" type="checkbox"/>		
Potential			

Percent 100.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$25,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	<input checked="" type="checkbox"/>
	weekly	<input type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>

Violation Base Penalty \$25,000

One daily event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<input checked="" type="checkbox"/>	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$25,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$292

Violation Final Penalty Total \$50,000

This violation Final Assessed Penalty (adjusted for limits) \$25,000

Economic Benefit Worksheet

Respondent Total Petrochemicals & Refining USA, Inc.

Case ID No. 48735

Reg. Ent. Reference No. RN102457520

Media Air

Violation No. 3

Percent Interest 5.0
Years of Depreciation 15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/Construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	29-Sep-2013	30-Nov-2014	1.17	\$292	\$292

Notes for DELAYED costs

Estimated cost to implement procedures to prevent recurrence of emissions events due to similar causes as Incident No. 188871. The Date Required is the date of the emissions event. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/Equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$292

Screening Date 28-May-2014

Docket No. 2014-0743-AIR-E

PCW

Respondent Total Petrochemicals & Refining USA, Inc.

Policy Revision 4 (April 2014)

Case ID No. 48735

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102457520

Media [Statute] Air

Enf. Coordinator Jessica Schildwachter

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)

Violation Description Failed to submit the initial notification for a reportable emissions event within 24 hours of discovery. Specifically, Incident No. 190409 was discovered on October 29, 2013, but was not reported until November 4, 2013.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			X

Percent 1.0%

Matrix Notes

The Respondent met at least 70% of the rule requirement.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1 5 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$82

Violation Final Penalty Total \$500

This violation Final Assessed Penalty (adjusted for limits) \$500

Economic Benefit Worksheet

Respondent Total Petrochemicals & Refining USA, Inc.

Case ID No. 48735

Reg. Ent. Reference No. RN102457520

Media Air

Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount

Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	30-Oct-2013	30-Nov-2014	1.08	\$81	n/a	\$81
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	30-Oct-2013	4-Nov-2013	0.01	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit the emissions event initial notification and provide training to ensure that initial notifications are submitted in a timely manner. The Date Required is the date the initial notification was due. The Final Dates are the date the initial notification was submitted (November 4, 2013) and the estimated date of compliance (November 30, 2014).

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$82

Screening Date 28-May-2014

Docket No. 2014-0743-AIR-E

PCW

Respondent Total Petrochemicals & Refining USA, Inc.

Policy Revision 4 (April 2014)

Case ID No. 48735

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102457520

Media [Statute] Air

Enf. Coordinator Jessica Schildwachter

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 01267, STC No. 29, and NSR Permit Nos. 46396, PSDTX1073M1, and N044, SC No. 1

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 9.73 lbs of CO, 25.54 lbs of H₂S, 7.24 lbs of NO_x, 2,340.33 lbs of SO₂, and 448.31 lbs of VOC from the East Flare, EPN 30COKERFLR, and the South Flare, EPN 53SOUTHFLR, during an avoidable emissions event (Incident No. 190409) that began on October 29, 2013 and lasted 21 minutes. The event occurred due to a hot spot in the Coke Drum which resulted in flaring. Since the emissions event was reported late, the Respondent is precluded from asserting the affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

	Major	Harm Moderate	Minor
Release Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health and the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 1 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$272

Violation Final Penalty Total \$7,500

This violation Final Assessed Penalty (adjusted for limits) \$7,500

Economic Benefit Worksheet

Respondent Total Petrochemicals & Refining USA, Inc.

Case ID No. 48735

Reg. Ent. Reference No. RN102457520

Media Air

Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/Construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	29-Oct-2013	30-Nov-2014	1.09	\$272	\$272

Notes for DELAYED costs

Estimated cost to implement procedures to prevent recurrence of emissions events due to similar causes as Incident No. 190409. The Date Required is the date of the emissions event. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/Equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$272

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN600582399, RN102457520, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator:	CN600582399, Total Petrochemicals & Refining USA, Inc.	Classification:	SATISFACTORY	Rating:	23.74
Regulated Entity:	RN102457520, TOTAL PETROCHEMICALS & REFINING USA PORT ARTHUR REFINERY	Classification:	SATISFACTORY	Rating:	44.42
Complexity Points:	50	Repeat Violator:	NO		
CH Group:	02 - Oil and Petroleum Refineries				
Location:	7600 32ND ST PORT ARTHUR, TX 77642-7901, JEFFERSON COUNTY				
TCEQ Region:	REGION 10 - BEAUMONT				

ID Number(s):

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50074

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD065099160

WASTEWATER PERMIT WQ0000491000

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 30002

WASTEWATER EPA ID TX0004201

AIR NEW SOURCE PERMITS REGISTRATION 35330

AIR NEW SOURCE PERMITS REGISTRATION 11273

AIR NEW SOURCE PERMITS PERMIT 46396

AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0005H

AIR NEW SOURCE PERMITS REGISTRATION 55631

AIR NEW SOURCE PERMITS AFS NUM 4824500037

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX453M1

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX453

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1073

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1073M1

AIR NEW SOURCE PERMITS EPA PERMIT N044

AIR NEW SOURCE PERMITS REGISTRATION 101772

AIR NEW SOURCE PERMITS REGISTRATION 101797

AIR NEW SOURCE PERMITS REGISTRATION 102135

AIR NEW SOURCE PERMITS REGISTRATION 101776

AIR NEW SOURCE PERMITS REGISTRATION 118814

AIR NEW SOURCE PERMITS REGISTRATION 110761

AIR NEW SOURCE PERMITS REGISTRATION 110766

AIR NEW SOURCE PERMITS REGISTRATION 110773

AIR NEW SOURCE PERMITS REGISTRATION 107454

AIR NEW SOURCE PERMITS REGISTRATION 109181

AIR NEW SOURCE PERMITS REGISTRATION 108341

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1073M2

AIR NEW SOURCE PERMITS REGISTRATION 110165

AIR NEW SOURCE PERMITS REGISTRATION 118073

AIR NEW SOURCE PERMITS REGISTRATION 110768

AIR NEW SOURCE PERMITS REGISTRATION 111965

AIR NEW SOURCE PERMITS REGISTRATION 110763

AIR NEW SOURCE PERMITS REGISTRATION 110769

AIR OPERATING PERMITS ACCOUNT NUMBER JE0005H

AIR OPERATING PERMITS PERMIT 1267

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0005H

1230048

POLLUTION PREVENTION PLANNING ID NUMBER

P00241

Compliance History Period: September 01, 2008 to August 31, 2013 **Rating Year:** 2013 **Rating Date:** 09/01/2013

Date Compliance History Report Prepared: May 16, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 16, 2009 to May 16, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Jessica Schildwachter

Phone: (512) 239-2617

Site and Owner/Operator History:

- | | |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period? | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |
| 3) If YES for #2, who is the current owner/operator? | N/A |
| 4) If YES for #2, who was/were the prior owner(s)/operator(s)? | N/A |

5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 07/20/2009 ADMINORDER 2007-0172-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly report three emissions events which began on December 9, 2003, at 6:25 p.m. from the SRU 1, Distillate Hydrotreater 2, and Amine Treater. The three incident reports were submitted more than 24 hrs after the discovery of the incidents. In addition, the report for SRU 1, listed an incorrect air permit number for the SRU and North Flare.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly report two emissions events which began on December 9, 2003, at the North and South Flares. The reports for both flares had incorrect air permit numbers on them.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026 PERMIT

Permit No. 9195A/PSD-TX-453M6 SC 1 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions from the North Flare, South Flare, Distillate Hydrotreater No. 2, SRU 1, and Amine Treater during the time period of December 9, 2003 through December 14, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 101, SubChapter F 101.201(b)(10)

5C THC Chapter 382, SubChapter A 382.085(a)

Description: TOTAL has failed to properly report an emissions event that occurred at the Area 1 NAC which began on November 9, 2003. The event was not reported within 24 hrs, and the cause of the event was not complete in the report.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, Special Condition 1 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions from the South Flare on November 9, 2003. During the event at the Area 1 NAC, the Flare Gas Recovery System was down so that emissions were routed to the South Flare which exceeded the maximum allowable emission limits of 32.99 and 10.66 lbs/hr for SO₂ and NO_x, respectively. During the incident, the South Flare released 6,785.7 lbs of SO₂, and 169 lbs of NO_x.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, Special Condition 1 PERMIT

9195A, Special Condition 1 PERMIT

PSD-TX-453M6 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions release from the SCOT Tailgas Incinerator and North Flare on October 16, 2003 when an operator inadvertently closed a fuel gas supply control valve to the SCOT unit. The SCOT Tailgas Incinerator has emissions limits of 38.0 and 1.88 lbs/hr for SO₂ and H₂S, respectively. During an 8.5 hr period, from noon to 8:30 p.m. the incinerator released 6,735 lbs of SO₂ and 100 lbs of H₂S. The North Flare has an emission limit of 10.66 lbs/hr for SO₂. D

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9195A/PSD-TX-453M6 PERMIT

Description: TOTAL has failed to maintain the minimum flame temperature at the SRU Thermal Reactor [EPN F310] when processing sour water stripping gas.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9195A/PSD-TX-453M6, Special Condition 6 PERMIT

Description: TOTAL has failed to maintain a minimum sulfur recovery efficiency of at least 99.9% at SRU I and SRU II on January 14-18, 23, and March 8-10, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:17352, Special Condition 4C PERMIT

Description: TOTAL has failed to replace spent canister media within five days after breakthrough was detected on December 16, 2003, in the three activated carbon canisters in which emissions from tanks 300, 302, 303, and 310-315 are routed through. On December 16, 2003, H2S breakthrough was discovered at the canisters. However, the spent media was replaced 6 days later.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2, Special Condition 8 PERMIT

Description: TOTAL has failed to maintain an emission limit below the maximum allowable concentration for NOx and SO2 at the FCCU flue gas vent (EPN 55RGNFLUGS).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:43109, Special Condition 3A PERMIT

Description: TOTAL has failed to maintain the NOx emission limit below the allowable hourly average for Boilers 300 (EPN 61STKBRLR) and 350 (EPN 61STKBRLR) during the time period from January 7 to February 28, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:46396, Special Condition 5B PERMIT

Description: TOTAL has failed to conduct proper maintenance at the Tank 926 Flare (EPN 22TK926FLR) and the Benzene Tank Flare (EPN 50BZTNKFLR) from January 2003 to April 2004.

Classification: Moderate

Citation: 5C THSC Chapter 382 382.085(b)

Rqmt Prov:Standard Exemption 106 PERMIT

Description: TOTAL has failed to maintain a firing rate of 63 MMBtu/hr or less at the BTX Heater H-52 on February 3 and 4, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026 PERMIT

9195A/PSD-TX-453M6 PERMIT

Description: TOTAL has failed to maintain an emission rate below the maximum allowable emission rates for the Tailgas Thermal Oxidizer (EPN 125) and the North Flare (5) (EPN 41NORTHFLR) on April 28, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL failed to properly report an emissions event which occurred on June 21, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

5C THC Chapter 382, SubChapter A 382.085(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:Permit No. 18936/PSD-TX-762M2 PERMIT

Description: TOTAL has failed to maintain an emission rate below the maximum allowable emission rate for the South Flare (EPN 142) and to prevent unauthorized emissions from the C-200 Sour Fuel Gas Compressor on June 20-21, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly report an emission event which occurred on February 25-27, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936 and PSD-TX-762M2 PERMIT

Description: TOTAL has failed to maintain an emission rate below the maximum allowable emission rate for the South Flare (EPN 142) during intermittent lifting of the safety relief valve on C-1A&B at the Atmospheric Crude Unit No. 1 from February 25-27, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to satisfy the final reporting requirements for a reportable emission event which occurred on February 27, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: TOTAL has failed to prevent the unauthorized release of 14.55 lbs of benzene into the atmosphere from a leak in the inlet line to the T-4 Recovery Tower on February 27, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to satisfy the final reporting requirements for a reportable emissions event which occurred on May 1-3, 2003.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: TOTAL failed to prevent the release of unauthorized benzene emissions from a pinhole leak on the level bridge of the Depentanizer Overhead Drum on May 1-3, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly notify the regional office of a reportable emissions event which occurred on July 17, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)
5C THSC Chapter 382 382.085(a)

Rqmt Prov:18936/PSD-TX-762M2 PERMIT

Description: TOTAL has failed to maintain an emission rate below the maximum allowable emission rate for the South Flare (EPN 142) and failed to prevent unauthorized emissions from the Sour Water Stripper 2 line during the emissions event on July 17, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly report an emissions event at Compressor C-301 at the ACU-2 unit which began on December 22, 2003, and ended on December 23, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, Special Condition 1 PERMIT

Description: TOTAL has failed to maintain an emission rate below the maximum allowable emission rates for the North Flare (5) (EPN 41NORTHFLR) on December 22-23, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:PSD-TX-453M6, SC 2 PERMIT

Description: TOTAL has failed to comply with the emission limitations at the UNIBON Heater (EPNUNIBH301) and failed to prevent unauthorized emissions at the Area 1 Resid Processing Complex on February 23-26, 2004, when a valve on the startup line between the heater and V-7 was left open.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
5C THSC Chapter 382 382.085(b)

Description: TOTAL has failed to properly report an emissions event that occurred at NGL Sphere 848 on March 16-17, 2004.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: TOTAL has failed to prevent the unauthorized release of ten lbs of benzene from NGL Shpere 848 on March 16-17, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9193A/PSD-TX-453M6, MAERT PERMIT

Description: TOTAL has failed to maintain an emission rate below the allowable for the North Flare (EPN 307), which is for emergency use only, limiting the amount of emissions to a rate of zero during non-emergency operations - SSM activities, during an emissions event which began on February 8, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, SC 1 PERMIT

Description: TOTAL has failed to prevent unauthorized emission releases. Two emissions events occurred respectively on July 14 and July 22, 2004, at EPN 41NORTHFLARE, with respective durations of 53.33 and 14.97 hrs, emitting significant quantities of SO2 and H2S.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20

30 TAC Chapter 111, SubChapter A 111.111(a)(4)

30 TAC Chapter 113, SubChapter C 113.100

30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, SC 4 PERMIT

54026, SC 5C PERMIT

Description: TOTAL has failed to properly operate EPN 53SOUTHFLR. During an 18 min time period beginning at 15:45 on July 23, 2004, EPN 53SOUTHFLR smoked for a period of six min and two seconds.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2 PERMIT

Description: TOTAL has failed to maintain an emission rate below the allowable rate for the South Flare (EPN 142) during an emissions event which started on September 21, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9193A/PST-TX-453M6 PERMIT

Description: TOTAL has failed to maintain an emission rate below the allowable for the North Flare (EPN 307), which is for emergency use only, limiting the amount of emissions to a rate of zero during non-emergency operations - SSM activities. Two such events began on August 16 and September 21, 2003, respectively.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly notify the TCEQ Regional Office within 24 hrs of the reportable emissions events of February 8 - 22, 2003, with respect to EPN 307 and the reportable emission events of September 21, 2003, with respect to EPNs 307 and 142.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(b)(8)

30 TAC Chapter 101, SubChapter F 101.211(b)(9)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to submit a final record containing a compound descriptive type of all individually listed compounds to have been released during SSM activity, their estimated total quantities, and the authorized emissions limits for applicable compounds. Twenty-five incomplete final reports were submitted or missing for emissions event occurring between December 31, 2003, and August 18, 2004. Note that some emissions events had two such reports, one for VOC and one for other emissions.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.211(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to submit a final record no later than two weeks after the end of the scheduled SSM activity. The plant failed to submit a final records as required for an emissions event which began January 30, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, Special Condition 1 PERMIT

Description: TOTAL has failed to maintain an emission rate below the allowable limits. There are 16 emissions events between December 31, 2003, and August 18, 2004, which exceeded the MAERT.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9195A/PSD-TX-453M6, Special Condition 1 PERMIT

Description: TOTAL has failed to maintain an emission rate below the allowable limit on December 31, 2003, when EPN 41NORTHFLR released 27,704.51 lbs of SO₂ for 4.55 hrs in excess of its 4.13 lbs/hr limit; CO, NO_x and VOC emissions were not reported.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:43109, Special Condition 1 PERMIT

Description: TOTAL has failed to maintain an emission rate below the permitted limit. The SCOT Tailgas Incinerator (EPN 125) had the following unauthorized emission event releases in excess of the MAERT limit of 38 lbs/hr for SO₂ and 1.88 lbs/hr for H₂S: on May 23, 2004, during a 2 hr and 22 min period, 93.49 lbs of H₂S and 9,380 lbs of SO₂.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:TCEQ Air Permit No. 9195A/PSD-TX-453M6 PERMIT

Description: TOTAL has failed to maintain an emission rate below the permitted limit. The SCOT Tailgas Incinerator (EPN 125) had the following unauthorized emission events in excess of the MAERT limit of 38 lb/hr for SO₂ and 1.88 lb/hr for H₂S: on April 1, 2004, during a 5 hr and 5 min period, 211.65 lb of H₂S and 21,036 lb of SO₂.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

30 TAC Chapter 101, SubChapter F 101.201(b)(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly notify the TCEQ Regional Office of the reportable emissions event of August 16 - 17, 2003, on two occasions with respect to EPN 307.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(10)

30 TAC Chapter 101, SubChapter F 101.201(b)(4)

30 TAC Chapter 101, SubChapter F 101.201(b)(7)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly submit a final record for 24 emission events with respect to common name of area, complete identification and quantification of emitted compounds, or related limits: 10 which began on January 26, February 12, March 26 and 28, and April 11, 21, 22 (two reports), and 28, 2004, respectively; another five reports for emissions events beginning on July 14; and ten other reports for events beginning on July 22, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2, General Condition 8 PERMIT

Description: TOTAL has failed to prevent unauthorized emission releases. Beginning on January 26, 2004, (EPN) 55RGNFLUGS at the FCCU released 13,491.01 lbs of CO in excess of limits and 12,714.71 lbs of SO₂ in excess of limits, intermittently for 72 hrs during a 356 hr period; no information available on the amount of PM released.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to prevent unauthorized emissions releases. Eleven emissions events occurred between February 12 and July 23, 2004, during which SO₂, H₂S, VOCs, CO, and NO_x from EPNs 41NORTHFLARE, 53SOUTHFLR, or 53MIDFLARE.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:TCEQ Air Permit No. 49743 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions above permitted limits. Specifically, on October 15, 2004, EPN 22TANK0475 at Tank 475 released approximately 3,358 lbs of VOCs in excess of permitted limits during a 209 hr period.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.201(c)
30 TAC Chapter 101, SubChapter F 101.211(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to submit a final record no later than 2 weeks after the end of the emissions event or scheduled activity causing the emissions. 3 final record reports were late: (1) for a scheduled emission event which ended on June 13, 2003, submitted late on July 3, 2003; (2) for the emissions event which started on April 21 and ended on April 22, 2004, submitted on May 11, 2004; and (3) for the emissions event that began on April 28 and ended on April 29, 2004, submitted on May 14, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2, General Condition 8 PERMIT

Description: TOTAL has failed to prevent unauthorized emission releases. Beginning on June 13, 2003, during a 3 hr 2 min period, the South Flare, EPN 142, released 5,073.07 lbs of SO₂ in excess of the limit of 0.34 lbs/hr.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9195A/PSD-TX453M6, SC 1 PERMIT

Description: TOTAL has failed to maintain an emission rate below the allowable emission limits. Two emissions events occurred at the Tail Gas Thermal Oxidizer (EPN 125): (1) on July 14, 2004, during a 10.76 hr period, 44,784.01 lbs of SO₂ and 469.74 lbs of H₂S were emitted in excess of limits; (2) on July 23, 2004, for a 12.27 hr duration, 63,673.00 lbs of SO₂ and 672.32 lbs of H₂S were emitted above limits.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to completely speciate the VOC emissions in the final reports for emissions events that began on September 16 and October 15, 2004, and to specify the presence and quantity of CO released during an April 22, 2005, emissions event in its final report.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(4)
30 TAC Chapter 101, SubChapter F 101.201(b)(7)
30 TAC Chapter 101, SubChapter F 101.201(b)(8)
30 TAC Chapter 101, SubChapter F 101.211(b)(5)
30 TAC Chapter 101, SubChapter F 101.211(b)(8)
30 TAC Chapter 101, SubChapter F 101.211(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to include all of the required information in the final reports submitted for the emission event reporting. Specifically, the missing information included failure to identify the Facility Identification Number or the EPN, contain the compound descriptive type, and the estimated total quantities emitted for Incident Numbers: 40432, 41321, 41322, 41324, 41325, 41343, 41344, 41461, 41462, 42608, 42751, 42824, 42922, 42923, 42925, 43572, 45280, 38844, 38845, 38846, 38847, 38848, 39

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 101, SubChapter F 101.201(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to submit a final report within two weeks if the information differs from the information provided in the initial notification. Specifically a final report was not submitted for Incident No. 40025 within 14 days. Also failed to submit the initial reports within 24 hrs for Incidents 39529 and 39788.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936, PSD-TX-762M2, General Condition 8 PERMIT

49743, Maximum Allowable Emission Rates PERMIT

54026, SPECIAL CONDITION 1 PERMIT

9195A, PSD-TX-453M6 (SC-1) PERMIT

PSD-TX-453M6, MAES - Special Condition 2 PERMIT

Description: TOTAL has emitted into the atmosphere unauthorized air contaminants during 15 emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9195A/PSD-TX-453M6, Special Condition 1 PERMIT

Permit No. 49743, (SC-1) PERMIT

Permit No. 54026, (SC-1) PERMIT

Permit No. 9193A, PSD-TX-453M6, (SC-2) PERMIT

Description: TOTAL has emitted into the atmosphere unauthorized air contaminants during 4 emission events.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions above permitted limits during two emissions events. Specifically, beginning on September 16, 2004, EPN 53SOUTHFLR at the Area 1 East End Complex released approx. 254 lbs of H2S and 2,247 lbs of VOC in excess of permitted limits during a 1.08 hr period; beginning on November 14, 2004, EPN 41NORTHFLR at the Area 2 FCCU released approx. 86 lbs of H2S, 1,574 lbs of SO2, and 7964 lbs of VOC in excess of permitted limits during a 20.27 hr period.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)

30 TAC Chapter 101, SubChapter F 101.201(g)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to electronically submit the final report for the emissions event that began on November 14, 2004, and to notify the TCEQ within 24 hrs of the April 22, 2005, emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2, General Condition 8 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions above permitted limits. Beginning on April 22, 2005, EPN 55RGNFLGS at the Area 2 FCCU released approximately 377 lbs of NOx in excess of permitted limits during a 7 hr period.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(b)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2, Special Condition 1A PERMIT

18936/PSD-TX-762M2, Special Condition 8 PERMIT

Description: TOTAL has failed to maintain the SO₂ and NO_x concentrations below the maximum allowable limits. FCCU flue gas vent stack's CEMS documented an average hourly SO₂ concentration greater than 50 ppm by volume from 2015 to 2115 and from 2200 to 2400 hrs and an average hourly NO_x concentration greater than 70 ppm from 0815 to 1115 and from 1145 to 1830 on April 22, 2005.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to notify the Beaumont Regional Office within 24 hrs of a reportable emissions event. The event was discovered on October 31, 2004 at 0919 hrs and was reported on November 1, 2004 at 1132 hrs.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(b)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2 PERMIT

18936/PSD-TX-762M2, Special Condition 1A PERMIT

Description: TOTAL has failed to maintain an emission rate below the authorized emission limit. Unauthorized emissions of 7350.56 lbs of SO₂ were released from the Wet Gas scrubber on October 31, 2004. Additionally, the SO₂ concentration was not maintained below the maximum allowable limit of 50 ppm during the emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:49743 PERMIT

Description: TOTAL has failed to prevent unauthorized VOC emissions of 432 lbs on November 8, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, Special Condition 1 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions of 1648.76 lbs of SO₂ during a one hr thirty-six min emissions event which occurred at the South Flare on May 3, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2 PERMIT

Description: TOTAL has failed to maintain the VOCs emission rate below 7.56 lbs/hr. at the FPM Cooling Tower between May 17, 2005, and December 15, 2005. Cooling tower leaks occurring on May 31, July 20, September 7 - 27, and December 14 - 15, 2005 released 23,267.28, 11,899.72, 11,842 and 18,637.12 lbs of unauthorized VOCs respectively.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter P 106.371
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:BY RULE 106.371 PERMIT

Description: TOTAL has failed to maintain the VOCs emission rate below 0.07 lbs/hr at the 805 Reformer Cooling Tower from March 15, until March 18, 2005 when unauthorized emissions of 560.8 lbs of benzene, 1062.6 lbs of toluene, and 88.8 lbs of xylene (a total of 1,712.2 lbs of VOCs) occurred.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:NSR Permit No. 54026 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions of 1835.42 lbs of SO₂ during a nine hr emissions event which occurred at the Middle Flare (EPN-53 MIDFLARE) on June 19, 2005.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: TOTAL has failed to properly notify the TCEQ Beaumont Regional Office of a reportable emissions event. Specifically, an emissions event began on June 19, 2005 at 11:45 hrs, but was not reported until June 20, 2005 at 15:53 hrs, in excess of the 24 hr reporting requirement.

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.6(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit by Rule, Registration No. 72930 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions from Tank 532 (EPN 22TANK0532) on August 19, 2005 due to an emissions event. Specifically, unauthorized emissions of 66.42 lbs of 1,2,4--Trimethylbenzene, 5.76 lbs of Ethylbenzene, 43.84 lbs of hexane, 4.21 lbs of isopropyl benzene, 172.92 lbs of toluene, 1620.24 lbs of VOC, and 194.61 lbs of xylene were released.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(1)
30 TAC Chapter 122, SubChapter B 122.165(b)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-02222 OP

Description: TOTAL has failed to report the occurrence of deviations in a SDR, failed to submit an ACC, and failed to properly certify a SDR. Specifically, TOTAL failed to properly certify their SDR for the period of May 14, 2005 to November 13, 2005, failed to report a deviation in the November 14, 2005 to May 14, 2006 SDR, and failed to submit an ACC for the period of May 14, 2005 to May 14, 2006.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 54026 PERMIT

Description: TOTAL has failed to prevent unauthorized emissions of 99.28 lbs of H2S and 9,078.06 lbs of SO2 from Unit 835. The permitted limits for H2S and SO2 are 0.12 lbs/hr and 10.66 lbs/hr, respectively. The event occurred on July 17, 2006, and lasted for 5 hrs and 14 mins.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 18963\PSD-TX-762M3, General Condition 8 PERMIT

O-01267, General Terms and Conditions OP

O-01267, Special Condition 27 OP

Description: TOTAL has failed to maintain VOCs emissions below the allowable emissions rate. Specifically, 592,311 lbs of unauthorized VOC from the FPM Cooling Tower were released from July 12 through November 27, 2006, due to exchanger leaks within the saturated Liquids and Crude Units.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 54026, Special Condition 1 PERMIT

O-1267, General Terms & Conditions OP

O-1267, Special Terms & Conditions 27 OP

Description: TOTAL has failed to prevent unauthorized emissions of 7.35 lbs of H2S and 675.88 lbs of SO2 during a 14.57 hr emissions event which occurred at the South Flare during the startup of Unit 804 on December 29, 2006.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 54026, Special Condition 1 PERMIT

9195A and PSD-TX-453M6, SC 1 PERMIT

O-01267, General Terms and Conditions OP

O-01267, Special Condition 27 OP

Description: TOTAL has failed to prevent unauthorized emissions of 229.98 lbs of H2S, 22,144.41 lbs of SO2, 352.24 lbs of NOx, 666.45 lbs of Carbon Monoxide CO, 19.42 lbs of PM, 30.76 lbs of VOC, and 10.10 lbs of NH3 from the North and South Flares and the Sulfur Recovery Tail Gas Oxidizer during a 4 hr 40 minute emissions event on November 29, 2006.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:54026, Special Condition 1 PERMIT

O-01267, General Terms and Conditions OP

O-01267, Special Condition 27 OP

Description: TOTAL has failed to prevent unauthorized emissions of 13.51 lbs of H2S and 1264.68 lbs of SO2 from the North and South Flares during a 2 hr 42 min emissions event on December 10, 2006.

2 Effective Date: 10/04/2009 ADMINORDER 2009-0491-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.146(2)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:O-02222 OP

Description: Failure to submit an Annual Compliance Certification (ACC) no later than 30 days after the end of the reporting period. EIC A8 MOD (2)(B) HPV

3 Effective Date: 10/31/2009 ADMINORDER 2008-0413-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:54026, Special Conditions 1 PERMIT

O-01267, Special Condition 26 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:O-01267, Special Condition 2(F) OP

Description: Failure to properly report an emission event.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:56409, Special Condition 1 PERMIT

O-01267, Special Condition 27 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:20381, Special Condition 1 PERMIT

O-02222, Special Condition 14 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:9195A, Special Condition 1 PERMIT

O-01267, General Terms and Conditions OP

O-01267, Special Condition 26 OP

Description: Failure to maintain an emission rate below the allowable emission limit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:1267, General Terms and Conditions OP
1267, Special Terms and Conditions 27 OP
49136, General Condition 8 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit. EIC A8(c)(2)(A)(ii) MOD(2)(D)

4 Effective Date: 03/20/2010 ADMINORDER 2009-1446-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:General Condition 8 PERMIT
Special Condition 26 OP
Description: Failure to maintain allowable emissions rates.

5 Effective Date: 07/11/2010 ADMINORDER 2009-1921-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:General Conditions OP
Special Condition 1 PERMIT
Special Condition 28 OP
Description: Failure to maintain an emission rate below the allowable emission limit.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:General Conditions OP
Special Condition 1 PERMIT
Special Condition 28 OP
Description: Failure to maintain an emission rate below the allowable emission limit. EIC A8c(2)(A)(ii) MOD (2)(D)

6 Effective Date: 08/09/2010 ADMINORDER 2009-2089-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Special Condition 14 OP
Description: Failure to maintain allowable emissions rates. A8c(2)(A)(ii).

7 Effective Date: 08/30/2010 ADMINORDER 2010-0257-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 28 OP
Special Condition PERMIT
Description: Failure to maintain an emission rate below the allowable emission limit. EIC A8c2(A)(ii) MOD (2)(D)
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 2F OP

Description: Failure to properly report emission events. EIC C3 MIN (3)(C)

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Effective Date: 08/30/2010 ADMINORDER 2006-0561-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:20381/PSD-TX-1005/N-044 PERMIT
O-02222/Special Condition 14 OP

Description: Failure to maintain the specific heat factors for the Condensate Splitter Heater EPN 40CSPLth-1. Specifically, on June 22, July 11, 22, and 23, August 3, September 20 and 28, and November 8, 2004, the CO heat specific factor of 0.011 pounds per million British Thermal Units ("lbs/MMBtu") per hour was exceeded for a total of 15 hours. Also, on July 10 and 22, 2004, the NOx heat specific factor of 0.08 lbs/MMBtu per hour was exceeded for a total of 22 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(15)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(d)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:FOP 02222 General Terms and Conditions OP
O-01267, General Terms and Conditions OP
O-01267, Special Condition 9A OP

Description: Failure to include a certificate of accuracy and completeness signed by a responsible official in reports submitted to the ED. Specifically, the following reports were not certified by a responsible official: the 05/14/04 to 11/14/04, and 11/15/04 to 05/14/05, deviation reports for FOP No. 2222; the 05/14/04 to 05/14/05, annual compliance certification for FOP No. 2222; the 11/22/04 to 05/22/05, deviation report for FOP No. 1267; and the CEMS Certification Report submitted 10/28/05.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:20381/PSD-TX-1005/N-044 PERMIT
O-02222/Special Condition 14 OP

Description: Failure to conduct annual seal gap measurements on external floating roof tanks. Specifically, TOTAL failed to conduct the annual seal gap measurements on Tanks 800, 801, and 802 for the period covering May 14, 2004 to May 14, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:20381/PSD-TX-1005/N044 PERMIT
O-02222, Special Condition 14 OP

Description: Failure to comply with the PM and VOC emission rates. Specifically, on February 17 and March 18, 2005, the Plant experienced heater duty exceedances during which the PM and VOC emission rates limits of 2.32 and 0.57 lb/hr, respectively, were exceeded for the condensate splitter heater EPN 40CSPLth-1.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to list a rule citation in the November 14, 2004 to May 14, 2005, semiannual deviation report for FOP No. 2222. Specifically, TOTAL failed to list 30 Tex. Admin. Code § 115.114(a)(2) as part of the requirements to physically measure Tanks 800, 801, 802, and 805 for seal gaps on an annual basis. Also, for the November 22, 2004 through May 22, 2005, reporting period TOTAL failed to report deviations for FOP 1267.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:18936/PSD-TX-762M2 PERMIT

Description: Failure to maintain the VOC emission rate at the FPM Cooling Tower. Specifically, due to leakage during a 44 hr, 6 minute period from January 12-14, 2005, the tower released 2,125.93 lbs of VOCs, which is 1,792.5 lbs above permitted limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:56382, Special Condition 19B PERMIT

56385, Special Condition 3 PERMIT

O-01267, Special Condition 27 OP

Description: Failure to conduct and record daily calculations of Mixed Liquid Suspended Solids, food-to-microorganism ratios, and residence time. Specifically, records were not created and maintained for Aeration Tanks 403A, 403B, and 403C from November 22, 2004 through May 22, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:5694A, Special Condition 3 PERMIT

O-01267, Special Condition 27 OP

Description: Failure to comply with the fired duty rate at four emission units.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to conduct annual seal gap measurements on external floating roof tanks. Specifically, TOTAL failed to conduct annual seal gap measurements on Tanks 22TANK0503, 67TANK0504, 67TANK0505, 20TANK2001, AND 20TANK2002.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to conduct semiannual visual tank seal inspections. Specifically, TOTAL failed to conduct visual inspections between November 22, 2004 and May 22, 2005, on 28 floating roof tanks.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:16840/PSD-TX-688M2, Special Condition 2 PERMIT

16840/PSD-TX-688M2, Special Condition 4B PERMIT

18936/PSD-TX-762M2, Special Condition 7 PERMIT

18936/PSD-TX-762M2, Special Condition 8 PERMIT

2347, Special Condition 5 PERMIT

3615/PSD-TX-058, Special Condition 2 PERMIT

43109, Special Condition 3A PERMIT

43109, Special Condition 3B PERMIT

43109, Special Condition 5 PERMIT

55684, Special Condition 7 PERMIT

9194A/PSD-TX-453M6, Special Condition 3 PERMIT

9195A/PSD-TX-436M6 PERMIT

O-01267, Special Condition 27 OP

Description: Failure to maintain emission limits in seven emissions areas.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 1D OP

Description: Failure to submit a FOP revision application no later than April 11, 2005, to codify 40 C.F.R. ch. 63, subpart UUU, into the permit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:54026, Special Condition 5D PERMIT

54026, Special Condition 6 PERMIT

O-01267, Special Condition 27 OP

Description: Failure to install and operate a continuous flow monitor/analyzer within 18 months (April 8, 2005) of permit issuance on October 2, 2003. Specifically, analyzers had not been installed on the North, Middle, or South flares.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:9195A/PSD-TX-453M6, Special Condition 6 PERMIT

O-01267, Special Condition 27 OP

Description: Failure to maintain the minimum sulfur recovery efficiency of the Sulfur Recovery Unit ("SRU"). Specifically, from June 30 until July 5, 2005, the sulfur recovery efficiency at the SRU (SRU 1 and 3) was less than 99.9%.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(i)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 15(a) OP

Description: Failure to conduct annual monitoring of benzene containers. Specifically, TOTAL failed to conduct annual monitoring on vacuum trucks managing benzene waste at the Plant for the period between November 22, 2004 and November 21, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 15(a) OP

Description: Failure to conduct quarterly visual inspections of benzene containers. Specifically, TOTAL failed to conduct quarterly visual inspections on vacuum trucks managing benzene waste at the Plant during the first three quarters of the period between November 22, 2004 and November 21, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:56385, Special Condition 12L PERMIT

O-01267, Special Condition 27 OP

Description: Failure to conduct quarterly visual inspections of unburied sewer lines. Specifically, TOTAL did not conduct quarterly visual inspections on unburied VOC-bearing sewer lines on the Wastewater Collection and Treatment System between November 22, 2004 and November 21, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:56385, Special Condition 9A PERMIT

O-01267, Special Condition 27 OP

Description: Failure to conduct daily VOC breakthrough monitoring. Specifically, the Carbon Absorption System (CAS) at the Plant was not monitored on weekends from November 22, 2004 through November 21, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(ii)(B)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 15(a) OP

Description: Failure to install a car-seal on the CAS. Specifically, from May 22 to November 21, 2005, the CAS did not have a car-seal or other closure to serve as a flow indicator of bypass conditions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to conduct monthly valve monitoring. Specifically, TOTAL is limited to seven (less than 3%) difficult-to-monitor valves; however, eight valves (3.2%), listed as difficult-to-monitor, out of 243 valves at the 829 Amine Unit, were not monitored on a monthly basis during the first quarter of the November 22, 2004 to November 21, 2005 period.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)(6)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(vii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to explain and authorize the delay of repair of VOC component leaks in a semiannual report. Specifically, the delay of repair explanation and authorization signature were not submitted for five components at 812-ACU1 in the deviation report for FOP 1267 covering May 22 to November 21, 2005.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(5)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to notify the agency 30 days prior to a seal gap test. Specifically, TOTAL failed to notify the TCEQ of TOTAL's intent to conduct a seal gap test on Tanks 22TANK0505, 22TANK0482, and 22TANK0530.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 24 OP

Description: Failure to maintain the proper temperature at the Reformer Unit. Specifically, from September 5 to September 7, 2005, the Reformer Unit did not maintain the proper required temperature established by testing.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:O-01267, Special Condition 24 OP

Description: Failure to use an EPA-approved method to identify chlorides. Specifically, on 99 occasions from May 22 until November 21, 2005, TOTAL did not use an EPA-approved method to identify chlorides on the Catalytic Cracking Regenerator ("CCR") catalyst.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:46396, Special Condition 4 PERMIT

O-01267, Special Condition 27 OP

Description: Failure to maintain the proper temperature at the Dock Flare 2 Stack. Specifically, on 50 occasions from May 22 to November 21, 2005, the firebox exit temperature was less than 1580 degrees F.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:17920, Special Condition 9A PERMIT

O-01267, Special Condition 27 OP

Description: Failure to conduct audio, visual, and olfactory (AVO) checks at least once per shift. Specifically, AVO checks for VOC, ammonia, and hydrogen sulfide at the Sour Water Stripper Facility were not conducted from May 22, to July 21, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:2347, Special Condition 8A PERMIT
O-01267, Special Condition 27 OP

Description: Failure to conduct AVO checks for leaks every four hours. Specifically, AVO checks at the DHT-1 and DHT-2 Units were not conducted from May 22 until July 27, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:9195A/PSD-TX-453M6, SC 5 PERMIT
O-01267, SC 27 OP

Description: Failure to maintain reactor flame temperature. Specifically, from December 6, 2004 to January 31, 2005, February 13 through 23, 2005, March 18 to April 29, 2005, and May 6 through 23, 2005, the reactor flame temperature of 2200 degrees F (amended on July 7, 2005, to 2114 degrees F) was not maintained at SRU 3.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to conduct visual inspections on internal floating roof tank seals. Specifically, TOTAL failed to conduct annual visual inspections on the roof seals for tanks 22TANK0926, 50TANK0928, 50TANK0929, and 50TANK0930 for the period ending May 22, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 115, SubChapter B 115.114(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to conduct annual seal gap measurements on external floating roofs. Specifically, TOTAL failed to conduct annual seal gap measurements on 23 tanks for the period ending May 22, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:O-01267, Special Condition 1A OP

Description: Failure to conduct seal gap inspections on external floating roof storage tanks. Specifically, TOTAL failed to conduct annual seal gap inspections for the period ending May 22, 2005, for tank 22TANK0938.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit correct semi-annual reports. Specifically, TOTAL failed to specify in two semi-annual reports from November 22, 2004 to November 21, 2005, whether actions taken during shutdowns, startups, and maintenance (SSM) were performed according to SSM plans.

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Effective Date: 05/08/2011 ADMINORDER 2009-0131-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:General Terms and Conditions No. 8 PERMIT
Special Condition 1 PERMIT
Special Condition 27 OP

Description: Failed to maintain allowable emissions rates. Specifically, the annual emission limits for volatile organic compounds ("VOCs") were exceeded for 12 tanks during 2006: 22TANK0482 by 0.5 ton, 22TANK0516 by 0.042 ton, 22TANK0530 by 1.08 tons, 22TANK0537 by 0.18 ton, 22TANK0541 by 5.16 tons, 22TANK0542 by 4.95 tons, 22TANK0906 by 0.65 ton, 22TANK0907 by 0.65 ton, 22TANK0917 by 1.37 tons, 22TANK0918 by 1.72 tons, 22TANK0934 by 0.39 ton, and 20TANK2000 by 0.1 ton.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT
Special Condition 27 OP
Special Condition 8 PERMIT

Description: Failed to maintain allowable emissions rates. Specifically, the annual emission limits for five combustion sources were exceeded during 2006: 17REFREGEN by 2.7 tons for carbon monoxide ("CO"), 17REFREGEN by 0.8 ton for hydrogen chloride, 22BZNTKFLR by 0.77 ton for CO, 45DOCKFLR2 by 0.41 ton for VOC, 45DOCKFLR2 by 2.55 tons for nitrogen oxides ("NOx"), 51DHT1H-3 by 1.52 tons for NOx, 52DHT2H-2A by 3.83 tons for NOx.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(D)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:O-01267 General Terms and Conditions OP
O-01267 Special Condition 2F OP

Description: Failed to properly report an emissions event. Specifically, the Respondent did not submit an accurate final report for Incident No. 115548. The Respondent failed to accurately document emission point names and numbers where the unauthorized emissions were released to the atmosphere, the compound descriptive type of all compounds released during the event, and the respective quantities of those compounds released

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:O-01267 General Terms and Conditions OP
O-01267 Special Condition 26 OP
Permit 54026 Special Condition 1 PERMIT
Permit 9195A Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 115548. Specifically, an emissions event at the North Flare (41NORTHFLR), South Flare (53 SOUTHFLR), and Sulfur Recovery Unit (15SRUINCIN) occurred on October 16, 2008 releasing 37,937.78 pounds ("lbs") of sulfur dioxide and 362.12 lbs of hydrogen sulfide for a period of nine hours and 20 minutes.

10 Effective Date: 07/31/2011 ADMINORDER 2010-1300-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:General Condition 8 PERMIT
Special Condition 1 PERMIT
Special Condition 2 PERMIT
Special Terms and Conditions 28 OP

Description: Failure to maintain allowable emissions rates. EIC A8 C(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:General Condition 8 PERMIT
Special Terms and Conditions 28 PERMIT

Description: Failure to maintain allowable emissions rates. EIC A8 C(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:General Condition 8 PERMIT

Special Condition 2 PERMIT

Special Terms and Conditions 28 OP

Description: Failure to maintain allowable emissions rates and concentrations. EIC A8 C(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Special Terms and Conditions 28 OP

Description: Failure to maintain allowable emissions rates. EIC A8 C(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(e)(4)(i)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Special Condition 3 PERMIT

Special Terms and Condtion 28 OP

Description: Failure to maintain allowable emissions rates and concentrations. EIC A8 C(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 8 PERMIT

Special Terms and Conditions 28 OP

Description: Failure to maintain allowable emissions rates and concentrations. EIC A8 C(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1567(a)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 3 PERMIT

Special Terms and Conditions 28 OP

Description: Failure to maintain proper temperature at the chlorosorb inlet. EIC A8 C(1)(B) MOD (2)(G)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:General Condition 8 PERMIT

Special Condition 1 PERMIT

Special Terms and Conditions 28 OP

Description: Failure to maintain allowable emissions rates. EIC A8 C(2)(A)(ii) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 4 PERMIT
Special Terms and Conditions 28 OP

Description: Failure to authorize Tank 586, EPN 22TANK0586, for its current service. EIC A2.c MOD (2)(G)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT
Special Condition 28 OP

Description: Failure to maintain an emission rate below the allowable emission limit. EIC A8c2(A)(ii)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 18 PERMIT
Special Condition 19 PERMIT
Special Terms and Conditions 28 OP

Description: Failure to maintain allowable throughput rates. EIC B18 Repeat and Rolled in. MOD (2)(D)

11 Effective Date: 08/27/2011 ADMINORDER 2011-0260-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:PSD-TX-1005, Special Condition 1 PERMIT
PSD-TX-1005, Special Condition 12 PERMIT
Special Condition 17 OP

Description: Failure to maintain allowable emissions rates and firing rates at Emission Point Number (EPN) 40CSPLTH-1.
EIC A8c.(2)(A)(ii) MOD(2)(D)

12 Effective Date: 04/05/2012 ADMINORDER 2011-1477-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP No. 01267, Spec Terms and Cond No 29 OP
Permit No. 5694A, Gen Cond No. 8 PERMIT
Permit Nos 18936 & PSDTX762M3, MAERT PERMIT
Permit Nos 18936 & PSDTX762M3, SC 8 PERMIT

Description: Failed to comply with the hourly allowable emissions rate and the concentration limit, as documented during an investigation conducted from April 12 to April 15, 2011, and shown in the attached table. Specifically, the Respondent exceeded the carbon monoxide ("CO") hourly emission rate, exceeded the sulfur dioxide ("SO2") hourly emission rate, and exceeded the CO and SO2 concentration limits at Emissions Point Number (EPN) 55RGNFLUGS, resulting in the total release of 600.07 lbs of CO and 628

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP No. O1267, Spec Terms & Cond 29 OP

Permit No. 8983A, Spec Cond No 1 PERMIT

Permit Nos. 3615 and PSDTX058, GC 1 PERMIT

Permit Nos. 9194A and PSDTX453M6, SC 1 PERMIT

Description: Failed to comply with the hourly allowable emissions rate, as documented during an investigation conducted from April 12 to April 15, 2011, and shown in the attached table. Specifically, on January 8 and January 10, 2010, the Respondent exceeded the allowable hourly emissions rates for four heaters, resulting in the release of 6.53 lbs of SO₂.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(e)(4)(i)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP No. O1267 SC No 29 OP

Permit No. 43109, Spec Cond No 3 PERMIT

Permit No. 43109, Spec Cond No 8 PERMIT

Permit Nos 9195A & PSDTX453M6 SC 1 PERMIT

Permit Nos 9195A & PSDTX453M6 SC 3A ORDER

Permit Nos 9195A and PSDTX453M6 SC 5 PERMIT

Description: Failed to comply with the hourly allowable emissions rate and the concentration limits, as documented during an investigation conducted from April 12 to April 15, 2011, and shown in the attached table. Specifically, the Respondent exceeded the CO hourly emission rate and exceeded the NO_x concentration limit at EPN 61STACKBLR, resulting in the total release of 1,090.14 lbs of CO. The Respondent exceeded the CO hourly emission rate, exceeded the SO₂ hourly emission rate, exceeded the hydrogen

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP No. O1267, Spec Cond 29 OP

Permit Nos. 9193A & PSDTX453M6, SC 2 PERMIT

Description: Failed to comply with the hourly allowable emissions rate, as documented during an investigation conducted from April 12 to April 15, 2011. Specifically, during the periods of January 1, 2010 to March 31, 2010 and October 1, 2010 to December 31, 2010, the Respondent exceeded the CO hourly emission rate of 7.33 lbs/hr for 49 hours and the SO₂ hourly emission rate of 2.64 lbs/hr for one hour at EPN 13UNIBH301, resulting in the total release of 173.28 lbs of CO and 0.62 lbs

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Ja 60.102a(f)(1)(i)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP No. O1267 SC 29 OP

Permit Nos. 46396 & PSDTX1073M1 SC 1 PERMIT

Permit Nos. 46396 & PSDTX1073M1 SC 24 PERMIT

Permit Nos. 46396 & PSDTX1073M1 SC 26 PERMIT

Description: Failed to comply with the hourly allowable emissions rate, the concentration limit, and the minimum firebox temperature, as documented during an investigation conducted from April 12 to April 15, 2011. Specifically, during the period of October 1, 2010 to December 31, 2010, the Respondent exceeded the SO₂ hourly emission rate of 55.31 lbs/hr for six hours and exceeded the H₂S hourly emission rate of 0.03 lbs/hr for six hours at EPN 25RUINCIN, resulting in the total release of 454.56 lbs of SO₂

Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter U 106.472

30 TAC Chapter 115, SubChapter B 115.112(a)(1)

30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP No. 01267 SC 29 OP

PBR 30 Tex. Admin. Code § 106.472 PERMIT

Description: Failed to operate an emission source as represented in the authorization, as documented during an investigation conducted from April 12 to April 15, 2011. Specifically, from November 16, 2010 to December 20, 2010, the Respondent stored volatile organic compounds ("VOC") in Spent Acid Tank 923. The tank is authorized for spent acid and not for VOC service and is not equipped with proper control devices for VOC storage; therefore, all VOC emissions released from the tank are unauthorized. An

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:FOP No. 01267 SC 29 OP

Permit No. 56385, Spec Cond No. 1 PERMIT

Description: Failed to comply with the hourly allowable emissions rate, as documented during an investigation conducted from April 12 to April 15, 2011. Specifically, between April 21, 2010 and December 6, 2010, the Respondent exceeded the allowable VOC hourly emissions rates for 21 EPNs during 70 monitoring events, resulting in the total release of 270.259 lbs of VOC.

- 13 Effective Date: 08/02/2012 ADMINORDER 2012-0087-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:46396, Special Condition 1 PERMIT
54026, Special Condition 1 PERMIT
8983A, Special Condition 1 PERMIT
FOP 1267, General Terms and Conditions OP
FOP 1267, Special Condition 29 OP
Description: Failed to prevent unauthorized emissions, as documented during a record review conducted from September 7, 2011 through October 14, 2011. Specifically, the Respondent released 502.02 pounds ("lbs") of hydrogen sulfide, 48,346.12 lbs of sulfur dioxide, 137.72 lbs of nitrogen oxides, 67.24 lbs volatile organic compounds, and 33.06 lbs of carbon monoxide from the North, South, and East Flares, Coke Heater 2, the Distillate Hydrotreater 3 Heater, the Sulfur Recovery Unit (SRU) 4 Tailgas Thermal
- 14 Effective Date: 09/29/2012 ADMINORDER 2012-0335-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: and PSDTX1073M1, Special Condition 1 PERMIT
General conditions No. 8 PERMIT
Special Condition 29 OP
Description: Failed to prevent unauthorized emissions. Specifically, Respondent released 12,089.02 pounds ("lbs") of nitrogen oxides, 8,773.33 lbs of sulfur dioxide, 574.33 lbs of carbon monoxide, 526.13 lbs of volatile organic compounds, 173.55 lbs of particulate matter, and 91.93 lbs of hydrogen sulfide from the Coker Flare and the Cogeneration Stack during an avoidable emissions event (Incident Nos. 160291 and 160297) that began on October 7, 2011, and lasted 17 hours. The event was the result of hydrog
- 15 Effective Date: 04/27/2013 ADMINORDER 2012-0821-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Conditions No. 1 PERMIT
Special Conditions No. 10 PERMIT

STC 29 OP

Description: Failed to comply with the allowable hourly emissions rate, as documented during a record review conducted on March 2, 2012. Specifically, during the reporting period of October 1, 2011 through December 31, 2011, the Respondent exceeded the allowable nitrogen oxides ("NOx") hourly emissions rate of 2.11 pounds per hour ("lbs/hr") for a total of 134 hours, the carbon monoxide ("CO") parts per million ("ppm") limit of 50 ppm for nine hours, and the NOx emission limit of 0.01 pound per million Brit

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit No. 46396, SC No. 1 PERMIT

STC 29 OP

Description: Failed to comply with the allowable hourly emissions rate, as documented during a record review conducted on March 2, 2012. Specifically, during a performance stack test conducted on December 2, 2011, the Respondent exceeded the particulate matter ("PM") maximum allowable hourly emissions rate of 0.74 lb/hr for EPN 06VDU2CHTR.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(iii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: & PSDTX1073M1, SC 1 PERMIT

SC 1A OP

SC 29 OP

Description: Failed to comply with the allowable hourly emissions rate and to maintain a floating roof, as documented during a record review conducted on March 2, 2012. Specifically, for a total of two hours during the reporting period of January 1, 2011 through March 31, 2011, the Respondent exceeded the allowable volatile organic compounds ("VOC") hourly emission rate of 0.66 pound per hour ("lb/hr") when the roof of Tank 543 was not floating on the liquid in the tank, resulting in the unauthorized releases

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: & PSDTX1073M1, SC 1 PERMIT

& PSDTX1073M1, SC 10 PERMIT

SC 29 OP

Description: Failed to comply with the allowable hourly emissions rate, as documented during a record review conducted on March 2, 2012. Specifically, during the reporting period of July 1, 2011 through September 30, 2011, the Respondent exceeded the allowable nitrogen oxides ("NOx") hourly emission rate of 2.11 lb/hr for a total of 115 hours and the NOx emission limit of 0.01 lbs per million British thermal units ("lb/MMBtu") on an hourly average was exceeded for 137 hours at Emission Point No. 30CKRHTR2,

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: & PSDTX1073M1, SC 1 PERMIT

SC 29 OP

Description: Failed to comply with the allowable hourly emissions rate, as documented during a record review conducted on March 2, 2012. Specifically, during performance stack tests conducted on April 25 and 28, 2011, June 30, 2011, and July 1 and 2, 2011, the Respondent exceeded the particulate matter ("PM") maximum allowable hourly emissions rate of 0.60 lb/hr for EPNs 25SRUINCIN and 36SRUINCIN

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Rqmt Prov:& PSDTX1073M1, SC 1 PERMIT
SC 29 OP

Description: Failed to comply with the allowable hourly emissions rate, as documented during a record review conducted on March 2, 2012. Specifically, during a performance stack test conducted on July 26, 2011, the Respondent exceeded the PM maximum allowable hourly emissions rate of 0.74 lb/hr for EPN 06VDU2CHTR.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:& PSDTX1073M1, SC 1 PERMIT
SC 29 OP

Description: Failed to comply with the allowable hourly emissions rate, as documented during a record review conducted on March 2, 2012. Specifically, during a performance stack test conducted on May 25, 2011, the Respondent exceeded the PM maximum allowable hourly emissions rate of 1.57 lbs/hr for EPN 30CKRHTR1.

16 Effective Date: 11/11/2013 ADMINORDER 2013-0298-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:and PSDTX1073M2, Special Condition 1 PERMIT
General Terms and Conditions OP
Special Condition 29 OP

Description: Failure to maintain an emission rate below the allowable emission limit at EPN 36SRUINCIN.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:and PSDTX1005, Special Condition 1 PERMIT
General Terms and Conditions OP
Special Condition 29 OP

Description: Failure to comply with the emissions limits as found in Permit 20381.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:GENERAL TERMS AND CONDITIONS OP
PSDTX1073M1, N044, SPECIAL CONDITIONS 1 PERMIT
SPECIAL TERMS AND CONDITIONS 29 OP
SPECIAL TERMS AND CONDITIONS 32B OP

Description: Failure to maintain emission rates below the allowable emission limits. A8(c)(1)(C) MOD(2)(D)

17 Effective Date: 01/24/2014 ADMINORDER 2013-0773-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov:., PSDTX1073M1, AND N044, SC 1 PERMIT
GENERAL TERMS AND CONDITIONS OP
SPECIAL TERMS AND CONDITIONS 29 OP
SPECIAL TERMS AND CONDITIONS 32B OP

Description: Failure to maintain emission rates below the allowable emission limits. A8(c)(1)(C) MOD(2)(D)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: GENERAL TERMS AND CONDITIONS OP

PSDTX1073M1 N044, SPECIAL CONDITIONS 1 PERMIT

SPECIAL TERMS AND CONDITIONS 29 OP

SPECIAL TERMS AND CONDITIONS 32B OP

Description: Failure to maintain emission rates below the allowable emission limits. A8(c)(1)(C) MOD(2)(D)

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	June 03, 2009	(743882)
Item 2	June 10, 2009	(768294)
Item 3	June 19, 2009	(748246)
Item 4	July 28, 2009	(747611)
Item 5	July 29, 2009	(762923)
Item 6	August 17, 2009	(804455)
Item 7	August 27, 2009	(767640)
Item 8	August 31, 2009	(763762)
Item 9	September 09, 2009	(804456)
Item 10	October 05, 2009	(766803)
Item 11	October 13, 2009	(766561)
Item 12	October 16, 2009	(804457)
Item 13	October 19, 2009	(767318)
Item 14	October 23, 2009	(764009)
Item 15	November 03, 2009	(780844)
Item 16	November 05, 2009	(778036)
Item 17	November 10, 2009	(781160)
Item 18	November 18, 2009	(804458)
Item 19	November 24, 2009	(782730)
Item 20	December 01, 2009	(781499)
Item 21	December 09, 2009	(784593)
Item 22	December 14, 2009	(804459)
Item 23	December 23, 2009	(784332)
Item 24	December 29, 2009	(784896)
Item 25	January 15, 2010	(804460)
Item 26	February 08, 2010	(788346)
Item 27	February 09, 2010	(787401)
Item 28	February 15, 2010	(786380)
Item 29	February 17, 2010	(791215)
Item 30	March 10, 2010	(830807)
Item 31	March 23, 2010	(793733)
Item 32	March 30, 2010	(795174)
Item 33	April 12, 2010	(797840)
Item 34	April 13, 2010	(797733)
Item 35	April 16, 2010	(798879)
Item 36	April 26, 2010	(795684)
Item 37	May 06, 2010	(796813)
Item 38	May 28, 2010	(824387)
Item 39	June 02, 2010	(803580)
Item 40	June 10, 2010	(846243)
Item 41	June 17, 2010	(803554)
Item 42	July 13, 2010	(860839)
Item 43	August 13, 2010	(830163)
Item 44	September 14, 2010	(873876)
Item 45	September 16, 2010	(864088)
Item 46	September 20, 2010	(844707)

Item 47	October 18, 2010	(881477)
Item 48	October 28, 2010	(869954)
Item 49	October 29, 2010	(872259)
Item 50	November 03, 2010	(864116)
Item 51	November 18, 2010	(888008)
Item 52	December 17, 2010	(896210)
Item 53	January 20, 2011	(886654)
Item 54	February 12, 2011	(894703)
Item 55	March 11, 2011	(916319)
Item 56	April 08, 2011	(924760)
Item 57	May 24, 2011	(908045)
Item 58	June 10, 2011	(914692)
Item 59	June 17, 2011	(945323)
Item 60	August 10, 2011	(933596)
Item 61	August 29, 2011	(933491)
Item 62	September 12, 2011	(951969)
Item 63	September 22, 2011	(956724)
Item 64	October 11, 2011	(971351)
Item 65	October 12, 2011	(952093)
Item 66	October 14, 2011	(958045)
Item 67	November 11, 2011	(977511)
Item 68	November 29, 2011	(958801)
Item 69	November 30, 2011	(969375)
Item 70	December 09, 2011	(984277)
Item 71	December 16, 2011	(974564)
Item 72	January 13, 2012	(990579)
Item 73	January 19, 2012	(976971)
Item 74	February 07, 2012	(982732)
Item 75	February 17, 2012	(980732)
Item 76	February 24, 2012	(988060)
Item 77	April 16, 2012	(1010027)
Item 78	April 19, 2012	(988208)
Item 79	April 30, 2012	(997171)
Item 80	May 08, 2012	(1002073)
Item 81	May 16, 2012	(1002274)
Item 82	May 18, 2012	(1016422)
Item 83	May 30, 2012	(1002953)
Item 84	June 09, 2012	(1008869)
Item 85	July 27, 2012	(1021025)
Item 86	August 09, 2012	(1015946)
Item 87	August 10, 2012	(1037914)
Item 88	August 16, 2012	(1022467)
Item 89	August 20, 2012	(1027339)
Item 90	August 21, 2012	(1021951)
Item 91	September 12, 2012	(1028012)
Item 92	September 17, 2012	(1046642)
Item 93	September 18, 2012	(1031369)
Item 94	October 15, 2012	(1036834)
Item 95	October 26, 2012	(1027738)
Item 96	November 12, 2012	(1060789)
Item 97	November 15, 2012	(1037017)
Item 98	November 19, 2012	(1042247)
Item 99	December 11, 2012	(1060790)
Item 100	January 08, 2013	(1051134)
Item 101	January 10, 2013	(1078913)
Item 102	February 05, 2013	(1053207)
Item 103	February 11, 2013	(1055972)
Item 104	February 18, 2013	(1078912)
Item 105	March 19, 2013	(1089280)
Item 106	March 28, 2013	(1072936)
Item 107	April 05, 2013	(1076725)

Item 108	April 10, 2013	(1075446)
Item 109	April 15, 2013	(1076485)
Item 110	April 16, 2013	(1095674)
Item 111	April 23, 2013	(1060427)
Item 112	April 26, 2013	(1060325)
Item 113	May 08, 2013	(1106599)
Item 114	May 10, 2013	(1088067)
Item 115	May 16, 2013	(1088781)
Item 116	May 28, 2013	(1086783)
Item 117	June 29, 2013	(1098900)
Item 118	July 10, 2013	(1117158)
Item 119	August 08, 2013	(1124915)
Item 120	September 10, 2013	(1116937)
Item 121	September 11, 2013	(1129515)
Item 122	September 18, 2013	(1116554)
Item 123	September 26, 2013	(1121822)
Item 124	October 15, 2013	(1122519)
Item 125	November 20, 2013	(1132747)
Item 126	December 09, 2013	(1147102)
Item 127	December 12, 2013	(1138271)
Item 128	January 14, 2014	(1153172)
Item 129	February 11, 2014	(1160507)
Item 130	February 21, 2014	(1145836)
Item 131	March 18, 2014	(1167152)
Item 132	April 29, 2014	(1151580)
Item 133	April 30, 2014	(1151536)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1 Date: 05/31/2013 (1110275) CN600582399
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 2 Date: 08/30/2013 (1078177) CN600582399
Self Report? NO Classification: Moderate
Citation: & PSDTX1073M1 Sp Conditions 1 PERMIT
& PSDTX1073M1 Sp Conditions 10 PERMIT
, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 11 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP
Description: Failure to maintain allowable NOx and CO emission rates and concentrations
below permitted limits at EPN 30CKRHTR1.
Self Report? NO Classification: Moderate
Citation: & PSDTX1073M1 Sp Conditions 1 PERMIT
& PSDTX1073M1 Sp Conditions 10 PERMIT
, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 11 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP
Description: Failure to maintain allowable NOx emission rates and concentrations below
permitted limits at EPN 30CKRHTR2.

Self Report?	NO	Classification:	Moderate
Citation:	, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT , PSDTX1073M1 & N044 Sp Conditions 11 PERMIT 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Sp Conditions 11A PERMIT Sp Conditions 3A PERMIT Special Terms and Conditions 29A OP		
Description:	Failure to maintain allowable NOx and CO emission rates and concentrations below permitted limits at EPN 61BLRSTACK.		
Self Report?	NO	Classification:	Moderate
Citation:	& PSDTX762M3 Gn Conditions 8 PERMIT & PSDTX762M3 Sp Conditions 1A PERMIT & PSDTX762M3 Sp Conditions 8 PERMIT , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT , PSDTX1073M1 & N044 Sp Conditions 15 PERMIT , PSDTX1073M1 & N044 Sp Conditions 3C PERMIT 30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(b)(1) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 29A OP		
Description:	Failure to maintain allowable CO and SO2 emissions rates and concentrations below permitted limits at EPN 55RGNFLUGS.		
Self Report?	NO	Classification:	Moderate
Citation:	& PSD-TX-453M6, Sp Conditions 1 PERMIT , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 29A OP Special Terms and Conditions 32B OP		
Description:	Failure to maintain allowable NOx and CO emission rates below permitted limits at EPN 01ACU1H101.		
Self Report?	NO	Classification:	Moderate
Citation:	, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 29A OP		
Description:	Failure to maintain allowable NOx emission rates below permitted limits at EPN 01VACTH301.		
Self Report?	NO	Classification:	Moderate
Citation:	& PSD-TX-453M6, Sp Conditions 1 PERMIT , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions 29A OP		
Description:	Failure to maintain allowable CO and SO2 emission rates below permitted limits at EPN 15SRUINCIN.		

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Sp Conditions 2 PERMIT
Sp Conditions 7I PERMIT
Special Terms and Conditions 1A OP
Special Terms and Conditions 1C OP
Special Terms and Conditions 29A OP

Description: Failure to conduct LDAR repairs required by 40 CFR Part 60, Subpart GGG in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 1D OP

Description: Failure to operate with a cap, blind flange, plug, or secondary valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate

Citation: & PSDTX1073M1 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Sp Conditions 1 PERMIT
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable VOC emission rates below permitted yearly limits at 2 storage tanks and diesel cap.

Self Report? NO Classification: Moderate

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Sp Conditions 1 PERMIT
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable CO emission rates below permitted limits during MSS at EPN MSS_TANK.

Self Report? NO Classification: Moderate

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 24 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 25 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
 40 CFR Part 63, Subpart UUU 63.1568(c)(1)
 5C THSC Chapter 382 382.085(b)
 Applicable Requirements Summary OP
 General Terms and Conditions OP
 Special Terms and Conditions 1A OP
 Special Terms and Conditions 1C OP
 Special Terms and Conditions 1D OP
 Special Terms and Conditions 29A OP

Description: Failure to maintain allowable SO2 emission rates and concentrations below permitted limits at EPN 36SRUINCIN.

Self Report? NO Classification: Moderate

Citation:
 , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
 , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Terms and Conditions 29A OP

Description: Failure to maintain allowable CO emission rates below permitted limits at EPN 13UNIBH301.

Self Report? NO Classification: Moderate

Citation:
 , PSDTX1073M1 & N044 Sp Conditions 3K PERMIT
 , PSDTX1073M1 & N044 Sp Conditions 55G PERMIT
 , PSDTX1073M1 & N044 Sp Conditions 55L PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 115, SubChapter D 115.352(2)(B)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
 5C THSC Chapter 382 382.085(b)
 Applicable Requirements Summary OP
 General Terms and Conditions OP
 Special Terms and Conditions 1A OP
 Special Terms and Conditions 29A OP

Description: Failure to conduct monthly pump seal inspections as required by 40 CFR Part 60, Subpart GGG.

Self Report? NO Classification: Moderate

Citation:
 , PSDTX1073M1 & N044 Sp Conditions 41(H) PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Applicable Requirements Summary OP
 General Terms and Conditions OP
 Special Terms and Conditions 1A OP
 Special Terms and Conditions 29A OP

Description: Failure to conduct primary and secondary seal tank inspections. B19g(1) MOD(2) (E) VTN 509580

Self Report? NO Classification: Moderate

Citation:
 , PSDTX1073M1 & N044 Sp Conditions 41C PERMIT
 , PSDTX1073M1 & N044 Sp Conditions 5F PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(2)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 113, SubChapter C 113.340
 30 TAC Chapter 115, SubChapter B 115.114(a)(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(g)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)

5C THSC Chapter 382 382.085(b)
 Applicable Requirements Summary OP
 General Terms and Conditions OP
 Special Terms and Conditions 1A OP

Special Terms and Conditions 29A OP
Special Terms and Conditions 1D OP

Description: Failure to conduct secondary seal tank inspections and annual visual tank inspections as required by 30 TAC Chapter 115, 40 CFR Part 63, Subpart G and/or CFR Part 63, Subpart CC.

Self Report? NO Classification: Moderate

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 14A PERMIT
, PSDTX1073M1 & N044 Sp Conditions 3C PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable H2S concentrations below permitted limits within the refinery fuel gas which resulted in the failure to maintain allowable SO2 emission rates below permitted limits at EPN 01ACU1202A, 01ACU1202B, 06VDU2CHTR, 10DEMEXH-2, 10DEMEXH-4 and 30CKRHTR1.

Self Report? NO Classification: Moderate

Citation: , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 12 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 13 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.105(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable NOx concentrations below permitted limits at EPN 60COGENSTK. B19(G)(1) MOD(2)(D) VTN 509879

3 Date: 09/30/2013 (1135245) CN600582399

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

4 Date: 10/31/2013 (1140645) CN600582399

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits:

Disclosure Date: 08/14/2009
Viol. Classification: Moderate
Citation: 40 CFR Part 61, Subpart FF 61.355(c)(3)
Description: Failure to collect a minimum of three representative samples form each waste stream.

Notice of Intent Date: 09/08/2009 (776664)
No DOV Associated

Notice of Intent Date: 11/30/2011 (981069)
No DOV Associated

Notice of Intent Date: 05/08/2013 (1093847)
No DOV Associated

Notice of Intent Date: 05/15/2013 (1102524)
No DOV Associated

Notice of Intent Date: 06/28/2013 (1102501)
Disclosure Date: 02/18/2014

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

Rqmt Prov: PERMIT Special Conditions No. 55.F.

Description: Failure to monthly monitor one 199 valves in gas/vapor and light liquid service in the Diesel Hydrotreater 1 Unit (Unit 805).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(e)

Description: Failure to submit initial semiannual reports for 199 valves in gas/vaport and light liquid service in the Diesel Hydrotreater 1 Unit (Unit 805).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)

Rqmt Prov: PERMIT Special Conditions No. 55.G.

Description: Failure monthly monitor five pumps in light liquid service in the Diesel Hydrotreater 1 Unit (Unit 805).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(b)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(e)

Description: Failure to submit an initial semiannual report for five pumps in light liquid service in the Diesel Hydrotreater 1 Unit (Unit 805).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(i)

Description: Failure to conduct initial inspection of the closed vent system in the Diesel Hydrotreater 1 Unit (Unit 805).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii)

Description: Failure to conduct annual visual inspections of the closed vent system for visible, audible, and olfactory indications of leaks (in the Diesel Hydrotreater 1 Unit (Unit805).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(d)(2)

Rqmt Prov: PERMIT Special Conditions No. 55.F.

Description: Failure to quarterly monitor one valve in light liquid service in the Gasoline Re-run Unit (Unit 810).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172(f)(1)

Description: Failed to conduct an initial inspection of the closed vent system in the Gasoline Re-run Unit (Unit 810).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172(f)(1)(ii)

Description: Failure to conduct annual visual inspectionsof the closed vent system for visible, audible, and olfactory indications of leaks (Gasoline Re-run Unit 810).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

Rqmt Prov: PERMIT Special Conditions No. 55.F.

Description: Failure to monthly monitor 93 valves in gas/vapor and light liquid service in the Atmospheric Crude Unit #2 (Unit 812).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(i)

Description: Failure to conduct initial inspection of the closed vent system in Unit 812-Atmospheric Crude Unit#2.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii)

Description: Failure to conduct annual visual inspections of closed vent system for visible, auditle, or olfactory indications of leaks (Unit 812 - Atmospheric Crude Unit #2).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

Rqmt Prov: PERMIT Special Conditions No. 55.F.

Description: Failure to monthly monitor 66 valves in gas/vapor an dlight liquid service (Unit 813 - Diesel Hydrotreater Unit #2).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(i)

Description: Failure to conduct initial inspection ofthe closed vent system (Unit 813 - Diesel Hydrotreater Unit #2).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii)

Description: Failure to conduct annual visual inspections of closed vent system for visible, audible, and olfactory indications of leaks (Unit 813 - Diesel Hydrotreater Unit #2).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

Rqmt Prov: PERMIT Special Conditions No. 55.F.

Description: Failure to monthly monitor 94 valves in gas/vapor and light liquid service (Unit 820 - Unibon Unit).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(i)

Description: Failure to conduct initial inspection of the closed vent system (Unit 820 - Unibon Unit).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii)

Description: Failure to conduct annual inspections of the closed vent system for visible, audible, or olfactory indications of leaks (Unit 820 - Unibon Unit).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

Rqmt Prov: PERMIT Special Condition No. 55.F.

Description: Failure to monthly monitor 134 valves in gas/vapor and light liquid service (Unit 821- Demex Unit).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(i)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)

Rqmt Prov: PERMIT Special Conditions No. 55.F.

Description: Failure to monthly monitor one valve in light liquid service (Unit 821-Demex Unit).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(i)

Description: Failure to conduct initial inspection of the closed vent system (Unit 821 - Demex Unit).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii)

Description: Failure to conduct annual visual inspections of the closed vent system for visible, audible, or olfactory indications of the leaks (Unit 821 - Demex Unit).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

Rqmt Prov: PERMIT Special Conditions No. 55.G.

Description: Failure to monthly monitor 80 valves in gas/vapor and light liquid service (Unit 826 - Diesel Hydrotreater #2 Florida Unit).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)

Rqmt Prov: PERMIT Special Conditions No. 55.G.

Description: Failure to monthly monitor two pumps in light liquid service (Unit 826 - Diesel Hydrotreater #2 Florida Unit).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)

Rqmt Prov: PERMIT Special Condition No. 55.F.

Description: Failure to monitor one pressure relief valve in gaseous service (Unit 826 - Diesel Hydrotreater #2 Florida Unit).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(i)

Description: Failure to conduct initial inspection of the closed vent system (Unit 826 - Diesel Hydrotreater #2 Florida Unit).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(f)(1)(ii)

Description: Failure to conduct annual inspections of the closed vent system for visual, audible, and olfactory indications of leaks (Unit 826 - Diesel Hydrotreat #2 Florida Unit).

Notice of Intent Date: 10/07/2013 (1123845)

No DOV Associated

3. **Type of environmental management systems (EMSs):**
1 ENVIRONMENTAL MANAGEMENT SYSTEM 30 TAC CERTIFIED

4. **Voluntary on-site compliance assessment dates:**
N/A

5. **Participation in a voluntary pollution reduction program:**
N/A

6. **Early compliance:**
N/A

7. **Sites Outside of Texas:**
N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 5/16/2009 and 5/16/2014

- 1 Date: 06/18/2009 (745434) CN600582399
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(c)(3)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT T 63.464(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Description: Failure to properly operate Tank 907, an external floating roof storage vessel.
- 2 Date: 08/26/2009 (761200) CN600582399
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 8 PERMIT
Special Condition 26 OP
Description: Failure to maintain allowable emissions rates.
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 8 PERMIT
Special Condition 26 OP
Special Condition 3 PERMIT
Description: Failure to maintain allowable emissions rates and concentrations.
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 8 PERMIT
Special Condition 26 OP
Description: Failure to maintain allowable emissions rates.
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 8 PERMIT
Special Condition 2 PERMIT
Special Condition 26 OP
Description: Failure to maintain allowable emissions rates and concentrations.
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 1 PERMIT
Special Condition 1 PERMIT
Special Condition 26 OP
Description: Failure to maintain allowable emissions rates and firing rates.

		Classification:	Moderate
Self Report?	NO	For Informational Purposes Only	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Condition 26 OP		
Description:	Failure to maintain allowable emissions rates.		
		Classification:	Moderate
Self Report?	NO	For Informational Purposes Only	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Condition 8 PERMIT Special Condition 26 OP Special Condition 8 PERMIT		
Description:	Failure to maintain allowable emissions rates and concentrations. EIC B14 MOD(2) (D)		
		Classification:	Moderate
Self Report?	NO	For Informational Purposes Only	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(b) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) General Condition 8 PERMIT Permit By Rule (PBR) project 51314 PERMIT Special Condition 26 OP Special Condition 4 PERMIT		
Description:	Failure to maintain allowable emissions rates and firing rates.		
		Classification:	Moderate
Self Report?	NO	For Informational Purposes Only	
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(e)(4)(i) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Condition 26 OP Special Condition 3 PERMIT		
Description:	Failure to maintain allowable emissions rates and concentrations.		
		Classification:	Moderate
Self Report?	NO	For Informational Purposes Only	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 26 OP Special Condition 5 PERMIT		
Description:	Failure to maintain minimum flame temperature of 2200 degrees Fahrenheit for more than 168 hours in four consecutive calendar quarters for SRU-1.		
		Classification:	Moderate
Self Report?	NO	For Informational Purposes Only	
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 13B PERMIT Special Condition 26 OP		
Description:	Failure to maintain operation parameters of scrubber venture pressure drop as established in the last satisfactory stack test.		
		Classification:	Moderate
Self Report?	NO	For Informational Purposes Only	
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT UU 60.472(c)
5C THSC Chapter 382 382.085(b)
Special Condition 2 PERMIT
Special Condition 26 OP

Description: Failure to comply with an opacity limitation.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 1D OP
Special Condition 26 OP
Special Condition 5(I) PERMIT

Description: Failure to repair a leaking fugitive component within 15 days of detection.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1D OP

Description: Failure to operate without a cap, blind flange, pug, or a second valve installed on equipment in VOC service.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 16 C PERMIT
Special Condition 26 OP

Description: Failed to maintain allowable loading rate for Benzene.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26 OP
Special Condition 5 PERMIT

Description: Failure to collect loading vapors from atmospheric tank truck loading facility.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26 OP

Description: Failure to authorize the Off Gas Treater (OGT) Cooling Tower for its current service.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 26 OP
Special Condition 4C PERMIT

Description: Failure to Monitor and record stack exhaust temperature.

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Permits 9195A, 16840, and 43109 PERMIT
Special Condition 26 OP
Description: Failure to perform Cylinder Gas Audits (CGAs) during the third quarter of 2008 on the Continuous Emissions Monitoring Systems (CEMS) of EPNs 15SRUINCIN, 60COGENSTK, and 61BLRSTCK.

3 Date: 12/23/2009 (782403) CN600582399
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Permit by Rule (PBR) 74442 PERMIT
Special Condition 1 PERMIT
Special Condition 12 PERMIT
Special Condition 14 ORDER

Description: Failure to maintain allowable emissions rates and Heat Specific Factors.

4 Date: 12/31/2009 (761853) CN600582399
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 18 PERMIT
Special Condition 19 PERMIT
Special Terms and Conditions 28 OP

Description: Failure to maintain allowable throughput rates. EIC B18 Repeat and Rolled in. MOD (2)(D)

5 Date: 01/31/2010 (804454) CN600582399
Classification: Moderate

Self Report? YES For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

6 Date: 03/19/2010 (792686) CN600582399
Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Condition 9 PERMIT
Special Condition 28 OP
Special Condition 2F OP

Description: Failure to properly report emission events. EIC C3

7 Date: 03/31/2010 (830808) CN600582399
Classification: Moderate

Self Report? YES For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

8 Date: 04/30/2010 (830809) CN600582399
Classification: Moderate

Self Report? YES For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

Date: 07/26/2010 (789923) CN600582399
 Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13 PERMIT
 Special Condition 26 OP
 Special Condition 9 PERMIT

Description: Failure to maintain Venturi pressure drop above the 3 hour rolling average limit and the hourly average limit. EIC B19g.(1) MOD (2)(G)
 Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 26 OP
 Various Permits PERMIT

Description: Failure to maintain the content of H2S below 0.1 grains per dry standard cubic foot (gr/dscf). EIC B18 MOD(2)(D)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 26 OP
 Special Condition 3 PERMIT

Description: Failure to maintain allowable emissions rates and concentrations. EIC B14 MOD(2)(D)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Condition 1 PERMIT
 Special Condition 1 PERMIT
 Special Condition 26 OP

Description: Failure to maintain allowable emissions rates and firing rates. EIC B14 MOD(2)(D)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)
 5C THSC Chapter 382 382.085(b)
 Special Condition 26 OP
 Special Condition 7B PERMIT

Description: Failure to perform daily calibrations on a Continuous Emissions Monitoring System (CEMS) at EPN 60COGENSTK. EIC C1 MIN (3)(A)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
 5C THSC Chapter 382 382.085(b)
 Special Condition 26 OP
 Special Condition 3 PERMIT

Description: Failure to monitor a Delay of Repair (DOR) Leak Detection and Repair (LDAR)

component to verify a repair within 15 days of the unit being returned to service.
EIC B18 MOD (2)(D)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to repair a leaking fugitive component within 15 days of detection. EIC
B18 MOD (2)(D)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP
Special Condition 26 OP
Special Condition 5 PERMIT
Various Permits PERMIT

Description: Failure to operate without a cap, blind flange, pug, or a second valve installed on
equipment in VOC service. EIC C10 MIN (3)(D)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Special Condition 27 OP

Description: Failure to maintain allowable emissions rates and firing rates. EIC B14 MOD(2)(D)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(1)(C)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit of the quarterly report required by 40 CFR 61, Subpart BB, for
the period of July 1, 2009, through September 30, 2009, in a timely manner. EIC
C3 MIN (3)(C)

10 Date: 09/16/2010 (843917) CN600582399

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: PC 2g, Pg. 7 PERMIT

Description: Failure by Total Petrochemicals USA, Inc. to prevent the unauthorized discharge
of wastewater or any other waste.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: M&RR 5, Pg. 5 PERMIT

Description: Failure by Total Petrochemicals USA, Inc. accurately calibrate all automatic flow
measuring devices and all totalizing meters for measuring flow by a trained

person at plant start up and as often as necessary to ensure accuracy, but not
less often than annually.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: EL&MR 1, Pg. 2 PERMIT

Description: Failure by Total Petrochemicals USA, Inc. to comply with effluent limitations for biochemical oxygen demand and Cyanide at Outfall 001

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 335, SubChapter A 335.4

Description: Failure by Total Petrochemical USA, Inc. to prevent the discharge or imminent threat of discharge of industrial solid waste or municipal hazardous waste into or adjacent to the waters in the state without obtaining specific authorization for such a discharge.

11 Date: 12/31/2010 (902281) CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

12 Date: 01/31/2011 (909055) CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

13 Date: 02/10/2011 (884352) CN600582399

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
PSD-TX-1005, Special Condition 7E PERMIT
Special Condition 16 OP
Special Condition 17 OP

Description: Failure to operate without a cap, blind flange, pug, or a second valve installed on equipment in VOC service. EIC C10 MIN (3)(D)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
PSD-TX-1005, Special Condition 6 PERMIT
Special Condition 17 OP

Description: Failure to perform twice a year inspections of primary and secondary seal gaps for tanks 800, 801, 082, and 805. EIC B1 MOD (2)(E)

14 Date: 04/30/2011 (937999) CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

15 Date: 06/30/2011 (952597) CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

16

Date: 07/31/2011 (959279)

CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

17

Date: 08/02/2011 (912317)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: & PSDTX058, SC 1 PERMIT
& PSDTX762M3, SC 1.A PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
SC 1.A PERMIT
SC 2 PERMIT
SC 29 OP
SC 5 PERMIT

Description: Failure to maintain the content of H2S below 0.10 grains per dry standard cubic foot (gr/dscf) within the refinery fuel gas. EIC B18 MOD(2)(D)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
SC 29 OP

Description: Failure to maintain allowable emissions rates and firing rates at EPN DEMEXH-2. EIC B14 MOD(2)(D)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)(1)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29 OP

Description: Failure to monitor the Carbon Adsorption System (CAS) at EPN 22TANK0516. EIC C1 MOD(3)(A)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to operate without a cap, blind flange, pug, or a second valve installed on equipment in VOC service. EIC C10 MIN (3)(D)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 1.A OP
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348(b)(2)(i)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain the benzene content of each waste stream entering the waste management unit to less than 10 parts per million by weight (ppmw) on a flow weighted annual average basis. EIC B18 MOD (2)(G)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(2)(i)
SC 1.A OP
Description: Failure to maintain the total benzene content of wastes, which have a flow-weighted average water content of 10 percent or greater on a volume basis as total water and each waste stream that is mixed with water or wastes at any time such that the resulting mixture has an annual water content greater than 10 percent, at or below 6.0 megagrams per year (6.6 tons per year).
EIC B18 MOD (2)(G)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: & PSDTX1073M1, SC 15(f) PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29 OP

Description: Failure to maintain Tank 924's exterior surface as white or aluminum.
EIC B19g.(1) MOD (2)(G)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
SC 29 OP

Description: Failure to maintain allowable emissions rates and firing rates at EPN 10DEMEXH-4.
EIC B14 MOD(2)(D)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: & PSDTX453M6, SC1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29 OP

Description: Failure to maintain allowable emissions rates at EPN 01VACTH301.
EIC B14 MOD(2)(D)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to provide notification of deviations.
EIC C3 MIN (3)(C)

Classification: Minor

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to accurately certify an Annual Compliance Certification (ACC) report.
EIC C3 MIN (3)(C)

Classification: Moderate

Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)

SC 29 OP
SC 4.A PERMIT

Description: Failure to maintain the minimum heating value of 300 British thermal unit per standard cubic foot (Btu/scf) in the combined assist gas and waste stream to the North Flare, EPN 41NORTHFLR.
EIC B19.g(1) MOD(2)(D)

18 Date: 08/31/2011 (965311) CN600582399
Classification: Moderate

Self Report? YES For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

19 Date: 02/29/2012 (1003463) CN600582399
Classification: Moderate

Self Report? YES For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

20 Date: 04/03/2012 (994609) CN600582399
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: & PSDTX1073M1, SC 3A PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 29 OP

Description: Failure to maintain minimum thermal oxidizer fire box exhaust temperature at

Emission Point Numbers (EPNs) 45DOCKTO1 and 45DOCKTO2.
EIC B19(g)(1) MOD (2)(G)

21 Date: 04/03/2012 (994608) CN600582399
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: & PSDTX453M6, SC 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29 OP

Description: Failure to maintain allowable emissions rates at Emission Point Number (EPN) 01VACTH301.
EIC B14 MOD(2)(D)

Classification: Minor

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
SC 1A OP

Description: Failure to operate without a cap, blind flange, pug, or a second valve installed on equipment in VOC service.
EIC C10 MIN (3)(D)

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: & PSDTX1073M1, Special Condition (SC) 26 PERMIT

30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 29 OP
 Description: Failure to maintain minimum SRU fire box temperature at EPN 25SRUINCIN and 36SRUINCIN.
 EIC B19.g(1) MOD(2)(D)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(9)
 5C THSC Chapter 382 382.085(b)
 SC 1A OP
 Description: Failure to provide 30 day notification of seal gap inspections for 10 tanks.
 EIC B3 MOD(2)(B)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: & PSDTX1073M1, SC 17 PERMIT
 & PSDTX1073M1, SC 18 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 29 OP
 Description: Failure to maintain allowable throughput rates at Docks 1 and 3.
 EIC B18 MOD (2)(G)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 30 TAC Chapter 122, SubChapter B 122.143(3)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 SC 29 OP
 Description: Failure to maintain allowable emissions rates and firing rates at EPN 10DEMEXH-4.
 EIC B14 MOD(2)(D)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 5C THSC Chapter 382 382.085(b)
 SC 29 OP
 SC 4.A PERMIT
 Description: Failure to maintain the minimum heating value of 300 British thermal unit per standard cubic foot (Btu/scf) in the combined assist gas and waste stream to the North Flare, EPN 41NORTHFLR.
 EIC B19.g(1) MOD(2)(D)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: & PSDTX1073M1, SC 15(f) PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 29 OP
 Description: Failure to maintain Tank 517's exterior surface as white or aluminum.
 EIC B19g.(1) MOD (2)(G)
 Classification: Moderate

Self Report? NO For Informational Purposes Only
 Citation: & PSDTX762M3, SC 9 PERMIT
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29 OP
Description: Failure to maintain gas pressure drop and liquid to gas ratio above the hourly limits within the FCCU Regenerator.
EIC B19g.(1) MOD (2)(G)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: & PSDTX1073M1, SC 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29 OP

Description: Failure to maintain allowable emissions rates and firing rates at EPN 06VDU2CHTR.
EIC B14 MOD(2)(D)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(b)
5C THSC Chapter 382 382.085(b)
SC 29 OP
SC 4.b PERMIT

Description: Failure to operate the North Flare, EPN 41NORTHFLR with a flame present.
EIC B19.g(1) MOD(2)(D)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: & PSDTX453M6, SC 19 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 29 OP

Description: Failure to conduct required testing of ammonia concentration in the acid gas exiting the waste heat boiler in each sulfur train at least twice a year at SRUs 1 & 3, EPN 15SRUINCIN.
EIC B1 MOD (2)(A)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)

Description: Failure to provide notification of deviations.
EIC C3 MIN (3)(C)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: & PSDTX1073M1, SC 5(D) PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition (SC) 29 OP

Description: Failure to calculate hourly mass emission rates from the continuous flow monitor at the Coker Flare, EPN 30CKRFLR.
EIC B1, MOD (2)(A)

22

Date: 05/31/2012 (1024142)

CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

23	Date:	06/30/2012	(1031538)	CN600582399	Classification:	Moderate						
	Self Report?	YES	For Informational Purposes Only									
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)										
	Description:	Failure to meet the limit for one or more permit parameter										
24	Date:	07/31/2012	(1021520)	CN600582399	Classification:	Moderate						
	Self Report?	NO	For Informational Purposes Only									
	Citation:	PC 2(g) PERMIT										
	Description:	Failure by Total Petrochemicals USA, Inc. to prevent the discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall.										
				Classification:	Moderate							
	Self Report?	NO	For Informational Purposes Only									
	Citation:	ELMR 1 PERMIT										
	Description:	Failure by Total Petrochemicals USA, Inc. to discharge compliant effluent for total suspended solids at Outfall 005.										
25	Date:	08/07/2012	(1015020)	CN600582399	Classification:	Minor						
	Self Report?	NO	For Informational Purposes Only									
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(g) 5C THSC Chapter 382 382.085(b) Special Condition 27 OP Special Condition 4 PERMIT										
	Description:	Failure to submit 2 Flare stack test reports within 60 days after sampling was completed.										
26*	Date:	09/30/2012	(1060788)	CN600582399	Classification:	Moderate						
	Self Report?	YES	For Informational Purposes Only									
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)										
	Description:	Failure to meet the limit for one or more permit parameter										
27*	Date:	01/03/2013	(1049490)	CN600582399	Classification:	Moderate						
	Self Report?	NO	For Informational Purposes Only									
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(c)(2) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT Special Condition 7 PERMIT										
	Description:	Failure to submit the Cogen Fuel Gas Drum CEMS Relative Accuracy Test Audit (RATA) report within 60 days after testing.										
28*	Date:	05/31/2013	(1110275)	CN600582399	Classification:	Moderate						
	Self Report?	YES	For Informational Purposes Only									
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)										
	Description:	Failure to meet the limit for one or more permit parameter										
29*	Date:	08/30/2013	(1078177)	CN600582399	Classification:	Moderate						
	Self Report?	NO	For Informational Purposes Only									
	Citation:	& PSDTX1073M1 Sp Conditions 1 PERMIT & PSDTX1073M1 Sp Conditions 10 PERMIT , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT , PSDTX1073M1 & N044 Sp Conditions 11 PERMIT 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)										

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable NOx and CO emission rates and concentrations below permitted limits at EPN 30CKRHTR1.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: & PSDTX1073M1 Sp Conditions 1 PERMIT
& PSDTX1073M1 Sp Conditions 10 PERMIT
, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 11 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable NOx emission rates and concentrations below permitted limits at EPN 30CKRHTR2.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 11 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

General Terms and Conditions OP
Sp Conditions 11A PERMIT
Sp Conditions 3A PERMIT
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable NOx and CO emission rates and concentrations below permitted limits at EPN 61BLRSTACK.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: & PSDTX762M3 Gn Conditions 8 PERMIT
& PSDTX762M3 Sp Conditions 1A PERMIT
& PSDTX762M3 Sp Conditions 8 PERMIT
, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 15 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 3C PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(b)(1)
5C THSC Chapter 382 382.085(b)

General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable CO and SO2 emissions rates and concentrations below permitted limits at EPN 55RGNFLUGS.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: & PSD-TX-453M6, Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Special Terms and Conditions 32B OP
Failure to maintain allowable NOx and CO emission rates below permitted limits at EPN 01ACU1H101.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable NOx emission rates below permitted limits at EPN 01VACTH301.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: & PSD-TX-453M6, Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable CO and SO2 emission rates below permitted limits at EPN 15SRUINCIN.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Sp Conditions 2 PERMIT
Sp Conditions 7I PERMIT
Special Terms and Conditions 1A OP
Special Terms and Conditions 1C OP
Special Terms and Conditions 29A OP

Description: Failure to conduct LDAR repairs required by 40 CFR Part 60, Subpart GGG in a timely manner.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.160(b)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 1D OP

Description: Failure to operate with a cap, blind flange, plug, or secondary valve installed on equipment in VOC service.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: & PSDTX1073M1 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 106, SubChapter A 106.6(b)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Sp Conditions 1 PERMIT
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable VOC emission rates below permitted yearly limits at 2 storage tanks and diesel cap.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Sp Conditions 1 PERMIT
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable CO emission rates below permitted limits during MSS at EPN MSS_TANK.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 24 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 25 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.780
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
40 CFR Part 63, Subpart UUU 63.1568(c)(1)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 1C OP
Special Terms and Conditions 1D OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable SO2 emission rates and concentrations below permitted limits at EPN 36SRUINCIN.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable CO emission rates below permitted limits at EPN 13UNIBH301.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Sp Conditions 3K PERMIT
, PSDTX1073M1 & N044 Sp Conditions 55G PERMIT
, PSDTX1073M1 & N044 Sp Conditions 55L PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 115, SubChapter D 115.352(2)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 29A OP

Description: Failure to conduct monthly pump seal inspections as required by 40 CFR Part 60, Subpart GGG.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Sp Conditions 41(H) PERMIT

30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter B 115.114(a)(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 29A OP

Description: Failure to conduct primary and secondary seal tank inspections. B19g(1) MOD(2) (E) VTN 509580

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Sp Conditions 41C PERMIT

, PSDTX1073M1 & N044 Sp Conditions 5F PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 113, SubChapter C 113.340
30 TAC Chapter 115, SubChapter B 115.114(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(g)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 29A OP
Special Terms and Conditions 1D OP

Description: Failure to conduct secondary seal tank inspections and annual visual tank inspections as required by 30 TAC Chapter 115, 40 CFR Part 63, Subpart G and/or CFR Part 63, Subpart CC.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Gn Conditions 8 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 14A PERMIT
, PSDTX1073M1 & N044 Sp Conditions 3C PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable H2S concentrations below permitted limits within the refinery fuel gas which resulted in the failure to maintain allowable SO2 emission rates below permitted limits at EPN 01ACU1202A, 01ACU1202B, 06VDU2CHTR, 10DEMEXH-2, 10DEMEXH-4 and 30CKRHTR1.

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: , PSDTX1073M1 & N044 Sp Conditions 1 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 12 PERMIT
, PSDTX1073M1 & N044 Sp Conditions 13 PERMIT
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 117, SubChapter B 117.105(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Applicable Requirements Summary OP
General Terms and Conditions OP
Special Terms and Conditions 1A OP
Special Terms and Conditions 29A OP

Description: Failure to maintain allowable NOx concentrations below permitted limits at EPN
60COGENSTK. B19(G)(1) MOD(2)(D) VTN 509879

30

Date: 09/30/2013 (1135245)

CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

31

Date: 10/31/2013 (1140645)

CN600582399

Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

* NOVs applicable for the Compliance History rating period 9/1/2008 to 8/31/2013

Appendix B

All Investigations Conducted During Component Period May 16, 2009 and May 16, 2014

(743882)

Item 1* June 03, 2009**

For Informational Purposes Only

(768294)

Item 2* June 10, 2009**

For Informational Purposes Only

(745434)

Item 3 June 17, 2009**

For Informational Purposes Only

(748246)

Item 4* June 19, 2009**

For Informational Purposes Only

(746147)

Item 5 July 03, 2009**

For Informational Purposes Only

(747611)

Item 6* July 28, 2009**

For Informational Purposes Only

(762923)

Item 7* July 29, 2009**

For Informational Purposes Only

(804455)

Item 8* August 17, 2009**

For Informational Purposes Only

(761200)

Item 9 August 26, 2009**

For Informational Purposes Only

(767640)

Item 10* August 27, 2009**

For Informational Purposes Only

(763762)

Item 11*	August 31, 2009**	For Informational Purposes Only (804456)
Item 12*	September 09, 2009**	For Informational Purposes Only (766537)
Item 13	September 23, 2009**	For Informational Purposes Only (766803)
Item 14*	October 05, 2009**	For Informational Purposes Only (778427)
Item 15	October 06, 2009**	For Informational Purposes Only (761853)
Item 16	October 13, 2009**	For Informational Purposes Only (804457)
Item 17*	October 16, 2009**	For Informational Purposes Only (767318)
Item 18*	October 19, 2009**	For Informational Purposes Only (764009)
Item 19*	October 23, 2009**	For Informational Purposes Only (780844)
Item 20*	November 03, 2009**	For Informational Purposes Only (778036)
Item 21*	November 05, 2009**	For Informational Purposes Only (781160)
Item 22*	November 10, 2009**	For Informational Purposes Only (804458)
Item 23*	November 18, 2009**	For Informational Purposes Only (766235)
Item 24	November 20, 2009**	For Informational Purposes Only (782730)
Item 25*	November 24, 2009**	For Informational Purposes Only (781499)
Item 26*	December 01, 2009**	For Informational Purposes Only (784593)
Item 27*	December 09, 2009**	For Informational Purposes Only (804459)
Item 28*	December 14, 2009**	For Informational Purposes Only (785159)
Item 29	December 22, 2009**	For Informational Purposes Only (780115)
Item 30	December 23, 2009**	For Informational Purposes Only (784896)
Item 31*	December 29, 2009**	For Informational Purposes Only (804460)
Item 32*	January 15, 2010**	For Informational Purposes Only

Item 33*	February 08, 2010**	(788346) For Informational Purposes Only
Item 34	February 09, 2010**	(781878) For Informational Purposes Only
Item 35	February 12, 2010**	(804454) For Informational Purposes Only
Item 36*	February 15, 2010**	(786380) For Informational Purposes Only
Item 37*	February 17, 2010**	(791215) For Informational Purposes Only
Item 38*	March 10, 2010**	(830807) For Informational Purposes Only
Item 39	March 18, 2010**	(792686) For Informational Purposes Only
Item 40	March 21, 2010**	(793295) For Informational Purposes Only
Item 41*	March 23, 2010**	(793733) For Informational Purposes Only
Item 42	March 26, 2010**	(795014) For Informational Purposes Only
Item 43*	March 30, 2010**	(795174) For Informational Purposes Only
Item 44*	April 12, 2010**	(797840) For Informational Purposes Only
Item 45*	April 13, 2010**	(797733) For Informational Purposes Only
Item 46*	April 16, 2010**	(798879) For Informational Purposes Only
Item 47	April 19, 2010**	(830808) For Informational Purposes Only
Item 48*	April 26, 2010**	(795684) For Informational Purposes Only
Item 49*	May 06, 2010**	(796813) For Informational Purposes Only
Item 50	May 10, 2010**	(796073) For Informational Purposes Only
Item 51	May 13, 2010**	(785195) For Informational Purposes Only
Item 52*	May 28, 2010**	(824387) For Informational Purposes Only
Item 53*	June 02, 2010**	(803580) For Informational Purposes Only

(825551)

Item 54 June 10, 2010** For Informational Purposes Only

(803554)

Item 55* June 17, 2010** For Informational Purposes Only

(860839)

Item 56* July 13, 2010** For Informational Purposes Only

(789923)

Item 57 July 26, 2010** For Informational Purposes Only

(829624)

Item 58 August 06, 2010** For Informational Purposes Only

(830163)

Item 59* August 13, 2010** For Informational Purposes Only

(873876)

Item 60* September 14, 2010** For Informational Purposes Only

(843917)

Item 61 September 16, 2010** For Informational Purposes Only

(844707)

Item 62* September 20, 2010** For Informational Purposes Only

(865303)

Item 63 October 18, 2010** For Informational Purposes Only

(871215)

Item 64 October 19, 2010** For Informational Purposes Only

(869954)

Item 65* October 28, 2010** For Informational Purposes Only

(872259)

Item 66* October 29, 2010** For Informational Purposes Only

(864116)

Item 67* November 03, 2010** For Informational Purposes Only

(888008)

Item 68* November 18, 2010** For Informational Purposes Only

(896210)

Item 69* December 17, 2010** For Informational Purposes Only

(902281)

Item 70 January 14, 2011** For Informational Purposes Only

(886654)

Item 71* January 20, 2011** For Informational Purposes Only

(884352)

Item 72 February 10, 2011** For Informational Purposes Only

(894703)

Item 73* February 12, 2011** For Informational Purposes Only

(909055)

Item 74 February 22, 2011** For Informational Purposes Only

(916319)

Item 75*	March 11, 2011**	For Informational Purposes Only (924760)
Item 76*	April 08, 2011**	For Informational Purposes Only (905157)
Item 77	April 15, 2011**	For Informational Purposes Only (937999)
Item 78	May 11, 2011**	For Informational Purposes Only (908045)
Item 79*	May 24, 2011**	For Informational Purposes Only (914692)
Item 80*	June 10, 2011**	For Informational Purposes Only (945323)
Item 81*	June 17, 2011**	For Informational Purposes Only (952597)
Item 82	July 14, 2011**	For Informational Purposes Only (912317)
Item 83	August 02, 2011**	For Informational Purposes Only (933596)
Item 84*	August 10, 2011**	For Informational Purposes Only (959279)
Item 85	August 19, 2011**	For Informational Purposes Only (933491)
Item 86*	August 29, 2011**	For Informational Purposes Only (949271)
Item 87	August 30, 2011**	For Informational Purposes Only (951969)
Item 88*	September 12, 2011**	For Informational Purposes Only (965311)
Item 89	September 16, 2011**	For Informational Purposes Only (956724)
Item 90*	September 22, 2011**	For Informational Purposes Only (971351)
Item 91*	October 11, 2011**	For Informational Purposes Only (952093)
Item 92*	October 12, 2011**	For Informational Purposes Only (958045)
Item 93*	October 14, 2011**	For Informational Purposes Only (977511)
Item 94*	November 11, 2011**	For Informational Purposes Only (958801)
Item 95*	November 29, 2011**	For Informational Purposes Only (969375)

Item 96*	November 30, 2011**	For Informational Purposes Only (969371)
Item 97	December 06, 2011**	For Informational Purposes Only (984277)
Item 98*	December 09, 2011**	For Informational Purposes Only (964197)
Item 99	December 14, 2011**	For Informational Purposes Only (974564)
Item 100*	December 16, 2011**	For Informational Purposes Only (990579)
Item 101*	January 13, 2012**	For Informational Purposes Only (976971)
Item 102*	January 19, 2012**	For Informational Purposes Only (974991)
Item 103	January 24, 2012**	For Informational Purposes Only (982732)
Item 104*	February 07, 2012**	For Informational Purposes Only (980732)
Item 105*	February 17, 2012**	For Informational Purposes Only (987592)
Item 106	February 21, 2012**	For Informational Purposes Only (988060)
Item 107*	February 24, 2012**	For Informational Purposes Only (994690)
Item 108	March 19, 2012**	For Informational Purposes Only (1003463)
Item 109	March 20, 2012**	For Informational Purposes Only (994609)
Item 110	March 29, 2012**	For Informational Purposes Only (994608)
Item 111	April 03, 2012**	For Informational Purposes Only (1010027)
Item 112*	April 16, 2012**	For Informational Purposes Only (988208)
Item 113*	April 19, 2012**	For Informational Purposes Only (997171)
Item 114*	April 30, 2012**	For Informational Purposes Only (1002073)
Item 115*	May 08, 2012**	For Informational Purposes Only (1000922)
Item 116	May 15, 2012**	For Informational Purposes Only (1002274)
Item 117*	May 16, 2012**	For Informational Purposes Only

Item 118*	May 18, 2012**	(1016422) For Informational Purposes Only
Item 119*	May 30, 2012**	(1002953) For Informational Purposes Only
Item 120*	June 09, 2012**	(1008869) For Informational Purposes Only
Item 121	June 19, 2012**	(1024142) For Informational Purposes Only
Item 122	July 17, 2012**	(1031538) For Informational Purposes Only
Item 123	July 25, 2012**	(1015996) For Informational Purposes Only
Item 124*	July 27, 2012**	(1021025) For Informational Purposes Only
Item 125	July 31, 2012**	(1021520) For Informational Purposes Only
Item 126	August 06, 2012**	(1015020) For Informational Purposes Only
Item 127*	August 09, 2012**	(1015946) For Informational Purposes Only
Item 128*	August 10, 2012**	(1037914) For Informational Purposes Only
Item 129*	August 16, 2012**	(1022467) For Informational Purposes Only
Item 130*	August 20, 2012**	(1027339) For Informational Purposes Only
Item 131*	August 21, 2012**	(1021951) For Informational Purposes Only
Item 132	September 05, 2012**	(1030157) For Informational Purposes Only
Item 133*	September 12, 2012**	(1028012) For Informational Purposes Only
Item 134*	September 17, 2012**	(1046642) For Informational Purposes Only
Item 135*	September 18, 2012**	(1031369) For Informational Purposes Only
Item 136	October 08, 2012**	(1060788) For Informational Purposes Only
Item 137*	October 15, 2012**	(1036834) For Informational Purposes Only
Item 138	October 16, 2012**	(1037461) For Informational Purposes Only

(1027738)

Item 139* October 26, 2012** For Informational Purposes Only

(1035307)

Item 140 October 29, 2012** For Informational Purposes Only

(1060789)

Item 141* November 12, 2012** For Informational Purposes Only

(1037017)

Item 142* November 15, 2012** For Informational Purposes Only

(1042247)

Item 143* November 19, 2012** For Informational Purposes Only

(1060790)

Item 144* December 11, 2012** For Informational Purposes Only

(1049490)

Item 145 December 27, 2012** For Informational Purposes Only

(1042489)

Item 146 January 03, 2013** For Informational Purposes Only

(1051134)

Item 147* January 08, 2013** For Informational Purposes Only

(1078913)

Item 148* January 10, 2013** For Informational Purposes Only

(1053075)

Item 149 January 31, 2013** For Informational Purposes Only

(1053207)

Item 150* February 05, 2013** For Informational Purposes Only

(1055972)

Item 151* February 11, 2013** For Informational Purposes Only

(1055037)

Item 152 February 13, 2013** For Informational Purposes Only

(1078912)

Item 153* February 18, 2013** For Informational Purposes Only

(1089280)

Item 154* March 19, 2013** For Informational Purposes Only

(1072936)

Item 155* March 28, 2013** For Informational Purposes Only

(1059019)

Item 156 April 03, 2013** For Informational Purposes Only

(1076725)

Item 157* April 05, 2013** For Informational Purposes Only

(1075446)

Item 158* April 10, 2013** For Informational Purposes Only

(1076485)

Item 159* April 15, 2013** For Informational Purposes Only

(1095674)

Item 160*	April 16, 2013**	For Informational Purposes Only (1060427)
Item 161*	April 23, 2013**	For Informational Purposes Only (1060325)
Item 162*	April 26, 2013**	For Informational Purposes Only (1076458)
Item 163	May 07, 2013**	For Informational Purposes Only (1106599)
Item 164*	May 08, 2013**	For Informational Purposes Only (1088067)
Item 165*	May 10, 2013**	For Informational Purposes Only (1088781)
Item 166*	May 16, 2013**	For Informational Purposes Only (1086783)
Item 167*	May 28, 2013**	For Informational Purposes Only (1110275)
Item 168	June 14, 2013**	For Informational Purposes Only (1098900)
Item 169*	June 29, 2013**	For Informational Purposes Only (1117158)
Item 170*	July 10, 2013**	For Informational Purposes Only (1124915)
Item 171*	August 08, 2013**	For Informational Purposes Only (1078177)
Item 172	August 30, 2013**	For Informational Purposes Only (1116937)
Item 173*	September 10, 2013	For Informational Purposes Only (1129515)
Item 174*	September 11, 2013	For Informational Purposes Only (1116554)
Item 175*	September 18, 2013	For Informational Purposes Only (1121822)
Item 176*	September 26, 2013	For Informational Purposes Only (1135245)
Item 177	October 11, 2013	For Informational Purposes Only (1122519)
Item 178*	October 15, 2013	For Informational Purposes Only (1121910)
Item 179	November 13, 2013	For Informational Purposes Only (1140645)
Item 180	November 18, 2013	For Informational Purposes Only (1132747)

Item 181*	November 20, 2013	For Informational Purposes Only (1147102)
Item 182*	December 09, 2013	For Informational Purposes Only (1138271)
Item 183*	December 12, 2013	For Informational Purposes Only (1153172)
Item 184*	January 14, 2014	For Informational Purposes Only (1160507)
Item 185*	February 11, 2014	For Informational Purposes Only (1145836)
Item 186*	February 21, 2014	For Informational Purposes Only (1167152)
Item 187*	March 18, 2014	For Informational Purposes Only (1151380)
Item 188	March 28, 2014	For Informational Purposes Only (1151580)
Item 189*	April 29, 2014	For Informational Purposes Only (1151536)
Item 190*	April 30, 2014	For Informational Purposes Only (1145837)
Item 191	May 05, 2014	For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2008 and 08/31/2013.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
TOTAL PETROCHEMICALS &
REFINING USA, INC.
RN102457520**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2014-0743-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Total Petrochemicals & Refining USA, Inc. ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a petrochemical refinery at 7600 32nd Street in Port Arthur, Jefferson County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review conducted on January 15, 2014, TCEQ staff documented that Incident No. 188566 ended on October 3, 2013 at 1:00 p.m. and the final record was due on October 17, 2013, but was not submitted until October 29, 2013.
4. During a record review conducted on January 15, 2014, TCEQ staff documented that the Respondent released 653 pounds ("lbs") of benzene, 714 lbs of hydrogen sulfide ("H₂S"), and 70,801.5 lbs of volatile organic compounds ("VOC") from VOC Storage Tank No. 0939, Emission Point Number ("EPN") 22TANK0939, during an avoidable emissions event (Incident No. 188566) that began on September 21, 2013 and lasted 292 hours. The event occurred when the floating roof of the tank submerged causing emissions to escape. The TCEQ determined that the emissions event could have been avoided through better operational practices and the final record for the event was reported late.
5. During a record review conducted on January 15, 2014, TCEQ staff documented that the Respondent released 76,856.98 lbs of sulfur dioxide ("SO₂"), 1,129.08 lbs of H₂S, and 67.60 lbs of nitrogen oxides ("NO_x") from the North Flare, EPN 41NORTHFLR, 1,022.86 lbs of SO₂, 0.57 lb of H₂S, 68.70 lbs of NO_x, 1.48 lbs of VOC, and 2 lbs of particulate matter ("PM") from the Sulfur Recovery Unit ("SRU") No. 5 Incinerator, EPN 36SRUINCIN, and 340.80 lbs of SO₂, 9.51 lbs of H₂S, 323.58 lbs of carbon monoxide ("CO"), 39.1 lbs of NO_x, 9.27 lbs of PM, and 16 lbs of VOC from the SRU Nos. 1 and 3 Incinerator, EPN 15SRUINCIN, during an avoidable emissions event (Incident No. 188871) that began on September 29, 2013 and lasted six hours. The event occurred due to a power loss at the SRUs resulting in flaring at the North Flare. The TCEQ determined that the emissions event could have been avoided through better operational practices.
6. During a record review conducted on January 15, 2014, TCEQ staff documented that Incident No. 190409 was discovered on October 29, 2013, but was not reported until November 4, 2013.
7. During a record review conducted on January 15, 2014, TCEQ staff documented that the Respondent released 9.73 lbs of CO, 25.54 lbs of H₂S, 7.24 lbs of NO_x, 2,340.33 lbs of SO₂, and 448.31 lbs of VOC from the East Flare, EPN 30COKERFLR, and the South Flare, EPN 53SOUTHFLR, during an avoidable emissions event (Incident No. 190409) that began on October 29, 2013 and lasted 21 minutes. The event occurred due to a hot spot in the Coke Drum which resulted in flaring. The TCEQ determined that the emissions event was reported late.
8. The Respondent received notice of the violations on May 6, 2014.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

- a. On October 29, 2013, submitted the final record for Incident No. 188566; and
- b. On November 4, 2013, submitted the initial notification for Incident No. 190409.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to submit the final record for Incident No. 188566 within two weeks after the end of the emissions event, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. 01267, Special Terms and Conditions ("STC") No. 29, and New Source Review ("NSR") Permit Nos. 46396, PSDTX1073M1, and No44, Special Conditions ("SC") No. 1. Since the emissions event could have been avoided through better operational practices and the final record for the event was reported late, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
4. As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 01267, STC No. 29, and NSR Permit Nos. 46396, PSDTX1073M1, and No44, SC No. 1. Since the emissions event could have been avoided through better operational practices, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
5. As evidenced by Findings of Fact No. 6, the Respondent failed to submit the initial notification for a reportable emissions event within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b).
6. As evidenced by Findings of Fact No. 7, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 01267, STC No. 29, and NSR Permit Nos. 46396, PSDTX1073M1, and No44, SC No. 1. Since the emissions event was reported late, the Respondent is precluded from asserting the affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
7. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for

violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

8. An administrative penalty in the amount of Eighty-Three Thousand Five Hundred Dollars (\$83,500) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Forty-One Thousand Seven Hundred Fifty Dollars (\$41,750) of the administrative penalty and Forty-One Thousand Seven Hundred Fifty Dollars (\$41,750) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Eighty-Three Thousand Five Hundred Dollars (\$83,500) as set forth in Section II, Paragraph 8 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Total Petrochemicals & Refining USA, Inc., Docket No. 2014-0743-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 8 above, Forty-One Thousand Seven Hundred Fifty Dollars (\$41,750) of the assessed administrative penalty shall be offset with the condition that the SEP defined in Attachment A, incorporated herein by reference, is implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

3. The Respondent shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement measures and procedures to ensure initial notifications and final records for emissions events are properly reported and submitted in a timely manner; and
 - ii. Implement procedures to prevent recurrence of emissions events due to similar causes as Incident Nos. 188566, 188871, and 190409.
- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.

5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing",

and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

11/25/14

Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Total Petrochemicals & Refining USA, Inc. I am authorized to agree to the attached Agreed Order on behalf of Total Petrochemicals & Refining USA, Inc., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Total Petrochemicals & Refining USA, Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

08/29/14

Date

NIGEL TRANTER

Name (Printed or typed)

Authorized Representative of

Total Petrochemicals & Refining USA, Inc.

REFINERY MANAGER

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2014-0743-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Total Petrochemicals & Refining USA, Inc.
Penalty Amount:	Eighty-Three Thousand Five Hundred Dollars (\$83,500)
SEP Offset Amount:	Forty-One Thousand Seven Hundred Fifty Dollars (\$41,750)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Southeast Texas Regional Planning Commission
Project Name:	<i>West Port Arthur Home Energy Efficiency Program - Lighthouse Program</i>
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Southeast Texas Regional Planning Commission** for the *West Port Arthur Home Energy Efficiency Program - Lighthouse Program* Project. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to hire a contractor to conduct initial inspections of eligible applicants' homes. The inspections will determine whether the home is in a condition suitable for weatherization and energy efficiency upgrades. Upgrades will not be completed at homes that need new roofs or significant foundation work. The contractor shall also determine what weatherization and energy efficiency upgrades are necessary and appropriate for the home and write a work plan. This contractor shall also conduct the final inspection of the home after the work is completed.

The Third-Party Administrator will conduct eligibility determinations to verify that participants own their homes and qualify as low-income. The Third-Party Administrator will also prepare all contracts with contractors and homeowners; coordinate between the contractors and the homeowners to answer questions; ensure that work is done timely

and properly; and arrange for any necessary repairs to new equipment under the 12-month warranty period after work is completed. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

Implementation of this Project will benefit air by reducing residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter, volatile organic compounds, and the nitrogen oxides associated with the combustion of fuel and the generation of electricity. Past energy audits have shown a 12-30% reduction in energy usages after completion of the weatherization and energy upgrades.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Southeast Texas Regional Planning Commission SEP** and shall mail the contribution with a copy of the Agreed Order to:

Southeast Texas Regional Planning Commission
Attention: Pamela Lewis, Program Manager
2210 Eastex Freeway
Beaumont, Texas 77703

Total Petrochemicals & Refining USA, Inc.
Agreed Order - Attachment A

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality;" and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

Total Petrochemicals & Refining USA, Inc.
Agreed Order - Attachment A

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.